(Wednesday, 04 October 2023)
(10.31 a.m.)
MRS JUSTICE COLLINS RICE: Good morning, everybody.
MS EVANS: Good morning, my Lady. Before I continue with the cross-examination, we have a better copy of that image which you asked for.
MRS JUSTICE COLLINS RICE: Ah, excellent, thank you.
MS EVANS: I think my friends have it too.
MRS JUSTICE COLLINS RICE: Yes, well, I will understand a little bit better the exchange then.
MS EVANS: It has been handed up. It should be in your Ladyship's bundle at tab 437, apparently, volume 9.
MRS JUSTICE COLLINS RICE: Volume 9.
MS EVANS: It has, by magic, obviously, appeared in there of its own accord.
MRS JUSTICE COLLINS RICE: Ah. That is very helpful. Yes, I see. What, if anything, am I to understand by the dark figures in the sky?
MS EVANS: That is a good question. They

look like drones.
MRS JUSTICE COLLINS RICE: Oh, I see.
MS EVANS: Ah, yes, they are images of the drones, we would speculate, that were used to attack the flag, which you will know is part of Mr Turner's evidence.
MRS JUSTICE COLLINS RICE: Ah, yes.
MS EVANS: It is the French attack --
MRS JUSTICE COLLINS RICE: Yes.
MS EVANS: -- when the installation was at the gallery in France and a drone went overhead and attempted to set fire to the flag --
MRS JUSTICE COLLINS RICE: I see.
MS EVANS: -- by dropping a doused rag on it.
MRS JUSTICE COLLINS RICE: I understand. And who is the figure in the red hat?
MS EVANS: I think that is meant to be Shia LaBeouf, who is one of the three artists.
MRS JUSTICE COLLINS RICE: Ah, right. I understand, thank you. Very helpful.
DANIEL MILLER
Cross-examination by MS EVANS

(Continued)
Q. Mr Miller, I am just going to wind back, very, very briefly, just to pick up where we were, so it is clear where I am going. We are still going to be going through the tweets, I am afraid, because, obviously, that is fairly important to the claim and the counterclaim, but funnily enough, since we have just looked at that image, if you could take up bundle 5, tab 141 which is where I had been asking you about some of the images uploaded onto Mr Turner's archive of Deanna Havas's tweets and so forth - do you remember that?
A. Mm-hmm.
Q. If you go to page 3914 what I had been putting to you was, what I had been asking you, was whether you agreed that these were what could be described as alt-right or far-right extreme images. Do you remember that exchange yesterday? I am not asking you a question now. I am just trying to remind you where we got to. On 3914, you will see that image which has been blown up, which my Lady has just asked about. You, I think it is

fair to say, do not accept that that is anything other than a cartoon of frogs running away with a flag, correct?
A. Yes, that's correct.
Q. The counter case, as you know, put from Mr Turner, is that it has a more sinister alt-right type meaning, which is that it is antisemitic because it is used by the alt-right in antisemitic contexts. I want to give an example of that, which is bundle 3, tab 51, page 1676. And you will see that this is the same or broadly the same image as the one that we have just looked at, but this time, it has been reproduced in a tweet from David Duke. Do you know who David Duke is?
A. Yes, I do.
Q. Would you like to tell us?
A. As far as I understand, he is a man who was somehow associated with the Ku Klux Klan.
Q. Yes, he is a senior figure in the Ku Klux Klan. This is obviously his Twitter account. Underneath it says, "Poor (((Shia)))", with the echo parenthesis we are becoming familiar with, "it's over, just admit it and

move on". Do you accept that the use of the echo or the parenthesis around Shia LaBeouf's name, is because he is Jewish.
A. Yes.
Q. Do you accept that in the context of a senior figure in the Ku Klux Klan tweeting this image, it takes on an extreme far right, if you like, colour?
A. Well, I don't know if that is precise or not. I mean, I think that David Duke obviously, here, is specifically referring to Jewish context which was not present in the image that Deanna Havas liked.
Q. And by Jewish context you mean that Shia LaBeouf is Jewish.
A. I mean the statement by David Duke, in which he refers to that fact.
Q. Yes, thank you. You can put that bundle back. Could you take out bundle 2 and go to tab 40 and it is page 874.
A. Yes.
Q. Now, I just want to ask you about some of these tweets on 1 August that you sent, 1 August 2018. This one that says, that has you saying, "You're on the list too now",

needs to be understood by reference, obviously, to what it is replying to. The reply underneath was in response to Deanna Havas's posting of what were regarded as antisemitic comments and a swastika. If you do not agree with any of that, say, but I am trying to give a neutral explanation of what that paragraph below is saying.
A. Well, I would like to respond to that. The comments refer to what the defendant claimed were antisemitic comments by Deanna Havas and what the defendant claimed was a swastika, which was the tweet we saw earlier, in which Deanna Havas was responding to the claims that she was an antisemite, with a series of symbols. Do you want me to continue or would you prefer to --
Q. Well, what I was going to say is do you agree that this woman, Katharina Ludwig, is taking up the defendant's position?
A. Yes, she is joining the mob that he created against Deanna Havas.
Q. And your response is, "You're on the list too now".
A. Right.

Q. What does that mean?
A. It means she's on my shit list of people who I am responding too with mean comments, which incorporated the others who were part of the defendant's mob, online mob, he summoned to attacked Deanna Havas.
Q. Now, you are talking about Ms Ludwig, I assume?
A. Yes.
Q. Do you agree therefore, that since you think she is taking the defendant's position, it is also being directed at the defendant's attention?
A. No, I - well --
Q. His camp, as you call it.
A. She is part of a mob that he has summoned. If you believe that my comments to her because he has summoned that mob are also directed towards him, I don't know, I suppose.
Q. Can we go on to the next page. It is actually easier to understand this if you jump ahead to 876. Now, these are three tweets that you sent in quick succession on the same

day, after the one we have just looked at. You read them from the bottom up and what I am going to do because this explains it, first of all, because I am going to tell you what Mr Turner says about this in his evidence because he received these tweets. And this is reading from paragraph 146 of his witness statement. He says, "From 15:17", that is
15:17 on 1 August, "(i.e. immediately after the "you're on the list" tweet)", which we have just looked at", "to 15:23, Mr Miller (operating the DCXTV Account) proceeded to post a series of tweets in short succession", which Mr Turner described as extremely sinister and disturbing. "The first tweet, posted at 15:17, contained an image of the satanic 'Kalfu' symbol". You need to go back a page to see the full image, 875. So, that is the, "What they don't know, but will know". The second tweet, posted at 15:18, contained the words, "They probably think I'm joking". The third tweet, posted between
15:18 and 15:23", approximately, was a re-tweet by you of a tweet from a third-party account, which simply contained the word,

"blood", and then: "The fourth tweet, posted at 15:23, contained the words, "Watch your steps...". I am going to break the questions up. Do you accept that you sent those tweets?
A. Yes.
Q. And in quick succession?
A. Okay.
Q. Do you accept that you targeted them, in the sense that you sent them out expecting that Mr Turner would see them?
A. No, I do not accept that. By this point Mr Turner had not responded to me for a number of days. I had no expectation that he was still reading my tweets. He was not acknowledging them. He was focussing his energies on targeting Deanna Havas.
Q. See, I suggest to you, that it was targeted at him. And if you go back to page 872, you will see that those three tweets in quick succession were in between tweets that you had sent, which either tagged him or responded to him or identified him, that one we have looked at before on 872, the "Pathological liar" one. And then if you go

forward, you will see at 877, you are continuing in a thread with Deanna Havas and others, ultimately, a reply to Mr Turner at the bottom, to target him. And indeed, we pick it up again on 879, where there is a re-tweet of the "Depopulator: Nightmare country" tweet, which itself was targeted at Mr Turner. Do you still not accept that those tweets were targeted at Mr Turner?
A. I do not accept that. The tweets refer quite clearly to a plural of people, to a, "they". They were directed in general at the mob that the defendant had summoned. They were not directed at the defendant. As I say, the defendant was not acknowledging my tweets. To claim that this tweet was directed him is the equivalent of saying that, "I walked past somebody's house, there was a poster in their window. This poster was targeted at me".
Q. Just going back to 875, the symbol there, what was the purpose of tweeting that image?
A. Well, with respect to the symbol, first of all, this is not a satanic symbol. The defendant's claim that it is appears to have

no source, apart from an unreferenced Wikipedia article. The claim that this symbol is satanic actually itself belongs to a racist history in which the Haitians are accused of being devil worshipers. I mention this is in passing. This symbol is Kalfu, it is a Voodoo loa. I know a little bit about Voodoo because I travelled to Haiti, I gave lectures there and I am also in contact with some Voodoo Houngans. Kalfu is the guardian of the crossroads. He mediates between the human world and the spirit world.
Now, what that means in practice or in this context, actually is my understanding of what the defendant's activity and the mob that he was summoning amounted to, which was the summoning of a bad and violent energy because he was engaged in a violent harassment campaign against Deanna Havas, who had enraged him by liking this image of these cartoon frogs. And he then pursued a vendetta against her for years. The group of people that he had summoned to help him prosecute his agenda, in my opinion were

engaged in a scapegoat action against Deanna Havas. It was a very violent and unfair and I think, immoral action that they were committing. This image referred to that energy and my claim here is also that, actually, in summoning this energy there will be destructive consequences, subsequently, in the same way that karma operates. When you commit violence against people, also violence comes back at you. This is something that happens on a spiritual level. So, that was the meaning of this tweet.
Q. The implication of what you have just said though, in the context that you put it, which was to go back on about alleged targeting of Ms Havas by Mr Turner, is that these tweets that I have taken you too, the three in succession, were indeed intended to be aimed at Mr Turner.
A. No, that is no correct. As I have said, this tweet refers to a "they". This is a plurality of people. This is a mob. This is my statement to a mob. It is not directed towards Mr Turner. It doesn't mention Mr Turner. It doesn't tag Mr Turner. If I wished to direct it

to Mr Turner, then I could have done that. That is not what I did.
Q. What I suggest is that the reasonable interpretation of these messages, which you would have been well aware of, was by starting off saying, "You're on the list too now", that does not make any sense unless you are trying to create the impression that there is a list of people who you are targeting, correct?
A. This statement --
Q. Just tell me if that is correct, or not.
A. Well, I am responding to your point that the tweet that you began with was not actually the first tweet in this sequence. It was a subsequent tweet to the tweets that appear on 877 in which I am responding to some of the people who are targeting Deanna Havas following the defendant's publication of his page, attacking her and attempting to destroy her. So, I am going down the list of people who the defendant is re-tweeting. I am no longer responding to him directly. I am responding to them. Now, the reason why I am responding to them in these mean

ways, basically --
Q. -- sorry, did you say, "mean" ways?
A. They were mean, yes. My tweets were mean, I accept that - was, because in February 2017, when I was initially protesting against the anti-far activists who were attacking LD50 Gallery and then subsequently Topics book shop, I was very polite to them. And my tactics on that occasion, I had completely failed to prevent the violent action which they committed on that occasion. So, I wanted to try a different tactic. Okay, that didn't work either, but the list refers to a shit list of people, essentially, that I am responding to with mean comments because they are targeting Deanna Havas. They are calling Deanna Havas, antisemite. They are saying that Deanna Havas should be excluded from the art world. This is a mob of people. They are bombarding Deanna Havas with grotesque abuse at the defendant's instigation.
Q. Going back to 876, bearing in mind that you have just said that Mr Turner is part of that mob, these messages were intended, I

suggest, to carry on the theme of having a target. So, I don't know what on earth, "What they don't know, but will know" means, but, when you say, "They probably think I'm joking", well, that is again is a bit sinister, is it not.? Does that not suggest that, ""ell, they may not think I am serious about my targeting, but I am"?
A. First of all, I didn't say that Mr Turner was part of the mob. I said that he instigated the mob. I think there is actually a difference between the mob that he instigated and him. When I refer to Mr Turner, I refer specifically to him. If I have a statement that I wish to make to Mr Turner, I made it to him. I tagged him. This refers to all the people that he had summoned. These are anti-fascist activists. They have been using violence against their opponents. This is my statement to them.
Q. But even if it is to them, can you explain what, "They probably think I'm joking", means?
A. That refers to the laws of karma, which is in my opinion, real. It's real, that actually, if

you treat people in this way then there are negative consequences which do usually ensue.
Q. And what about --
A. I am not joking about that.
Q. What about, "BLOOD"?
A. That is a belief that I hold with respect to how these kinds of violent actions tend to play out. And this has been, actually borne out in practice because a lot of these people who have joined these kinds of collective online mobbings over the last five years, have themselves, actually been targeted by their comrades subsequently, because the internal dynamics of these kinds of mob operations is that they are, in fact, always looking for a scapegoat. They always need a scapegoat and if one is not available, then they pick one amongst themselves and then they target that person.
Q. But, what about, "BLOOD", which followed between one and five seconds after, "They probably think I'm joking"? If that is directed at the mob, what did it mean?
A. Well, this was a re-tweet from another

account which actually, had been established, initially also by me after I was in Haiti. It is called the Nine Gates. It refers to a myth that I heard in Haiti. The myth is as follows, there are nine gates into the other world in the universe. There are nine gates on earth. There are nine gates in Haiti. So, ever since I heard this, I was very interested in what these gates could mean or what they referred to and I pursued some research on this question. My understanding was that they refer to something like the Shekinah in Kabbalah which actually wasn't influenced on Haitian Voodoo. What that means is, that there are different kinds of, let's say, principles that are operating in reality and these are the gates through which energies flow. So, anybody clicking on this link will have seen nine other tweets. They were sleep, drugs, sex, numbers. There were some others, I can't remember, but they were like (inaudible) ... and this represented my interpretation of the situation, that, what was going on with this kind of violent action was the mob was moving through the gate of

blood. Now, the gate of blood, actually, doesn't only refer to violence. It refers to anything to do with blood. So, this was something that I was thinking about quite a lot recently, at that time because of my experiences with Nina, who was then recovering from alcoholism. Alcohol in our understanding - this is myself and my fellow researchers into Haitian Voodoo, also refers to the gate of blood. So, the meaning of this tweet is found by someone clicking on the link, which is something that existed at the time. This is an electronic medium. The defendant, in changing it into a screenshot, completely changed its meaning because what I wanted to say also was, that it was possible to change your behaviour - this is to the mob in general - and to cease pursuing this abhorrent action against an innocent and defenceless woman.

Q. You haven't put any evidence in because you have not disclosed any documents, but there is not any evidence that supports that having been a link. I don't think this is something we need to spend a lot of time on.

A. I am sorry, this is a tweet. A tweet is a link.

Q. No, the word, "BLOOD".

A. I am sorry.

Q. Did you not suggest the word, "BLOOD" linked through?

A. This is a tweet. If you click on this tweet, you are taken to the account. The account has eight other tweets. They all have single words. This was one of them, so you - I am sure that the defendant, by the way, did this, but because that's not convenient for the argument that he is seeking to construct, he simply ignores it.

Q. Right, let us move onto the next one. I am not making much progress on that one. "Watch your steps".

A. Mm-hmm.

Q. If that was aimed at this mob, what did that mean?

A. It means be careful in channelling these violent energies. This statement wasn't aimed - or rather aimed at me, actually. This was a phrase my friend Carmella[?] used to say when we walked around Port-au-Prince

because it's filled with potholes. So, I am also reflecting on my own participation in this incident. This is also aimed at me, actually.

Q. I think I have spent enough time on that sequence. Can we move on to, same tab, 880, please. And I just want to make clear again that I am not putting every single tweet to you that is part of my client's case on harassment because there is not time. And I do not think it is proportionate and unless my Lady would like me to, I am selecting the ones which I think best illustrate the case being made.

MRS JUSTICE COLLINS RICE: And you will make submissions in due course.

MS EVANS: And we will make submissions on all the rest of them, so far as is appropriate, but I am not going to - any that we wish to make a submission on that requires an answer from Mr Miller, obviously, I am putting to him.

MRS JUSTICE COLLINS RICE: Yes.

MS EVANS: But that is by way of explanation so you do not think I am

excluding things because they do not matter.
MRS JUSTICE COLLINS RICE: Yes.
MS EVANS: It is for a different reason. So, it is page 880, and this is a tweet from you, three days later on 4 August. Do you have that?
A. Yes.
Q. And your reply to Mr Turner and others, and you can see what it says. It says, "You are a grotesque individual totally devoid of humanity. Your casual malice and dishonesty, self-pity and weakness is shocking to everybody with a soul and a conscience. I don't know how you look at yourself in the mirror". You accept that this one was targeted at Mr Turner, do you?
A. Of course, I tag him in. It is a direct statement to him.
Q. The language is, again, extremely aggressive and unpleasant, is it not?
A. The language, I think is proportionate to the activity that the defendant had previously engaged in with respect to Deanna Havas. The defendant had instigated an in fact, successful campaign to destroy Deanna

Havas's life on the basis that she had liked an image of cartoon frogs, which had no antisemitic content whatsoever. Now, I think that was morally wrong, what he did, and my language in this tweet reflects my belief on that matter. Once again, personally, I would rather be accused of being a grotesque individual than being accused of being a Nazi or an antisemite or a fascist because those words have a different meaning in the milieu in which the defendant operated. They actually caused violence against someone. These statements are - my feelings about what the defendant and his associates, far-left activists, violent far-left activists, have done to Deanna Havas, were in my opinion, nothing.
Q. Well, you have to be careful there because there is no evidence in this case that my client has been violent. So, you need to be very careful about the allegations that you are throwing around. Your counsel will not make that allegation, I suspect, because it is not pleaded, and it is not in the evidence.
A. Your --

MR WALKER: Was there a question?
MS EVANS: It does not need to be a question. It is a reminder. There is a lot of (inaudible)
MR WALKER: My understand is - forgive me, but I am not sure it that is a submission to, my Lady, or that is a question to the witness, who is being cross-examined, and the purpose, as I understand it for cross-examination, is to allow the witness to respond. You need to be careful how is the witness supposed to deal with that observation. I simply make that point, which I think is valid.
MRS JUSTICE COLLINS RICE: Thank you. Let's focus on the questions.
MS EVANS: I have got one more question on page 880. Do you accept that that is a threatening or intimidating email -- tweet for somebody to receive?
A. Well, it doesn't --
Q. Just yes or no.
A. No, I don't accept, it is not a threat.
Q. Can we turn over to 884, please. This is another tweet from you, 4th of August, the

same day, it seems to be 2.30 in the morning, although as I said yesterday the time clock is not always dead on. You say, "I am so tired of this guy - for a week now he's been engaging in a malicious, vindictive ... campaign." And so forth. I assume that's about Mr Turner.
A. Yes.
Q. So this tweet is directed at him too.
A. Well it refers to him, he is "this guy" in this tweet, yes.
Q. You say you are so tired at that point, suggesting that this was a bit of a game to you, I suggest?
A. No, it doesn't say that it is a game, it says that I find this activity also extremely boring in a certain way and exhausting because, you know, all of this has been blown up for so little. All she had done is liked this image, that's all that she had done. The Defendant in response had instigated this campaign against her, attempted to destroy her life and actually succeeded in doing that.
Q. Could we go over to 886, the same day, 4th of August, the same night. We think it is

between 2.30 in the morning and 11.30 the next morning. This is a photo of Mr Turner, isn't it?
A. It's his phone profile image.
Q. This is a tweet from you with the photo in it?
A. Yes.
Q. You say, "Look into these cold, black eyes and tell me that @Luke_Turner has a soul." He is tagged there?
A. Uh-huh.
Q. You would have expected that that would go to him?
A. Yes.
Q. But reference to, "cold, black eyes" is redolent of some of the images that we looked at yesterday, is it not, which I suggested to you were often used in anti-Semitic contexts, people without souls?
A. I'm sorry?
Q. People without souls, inhuman people?
A. Well, you could say this, but the actual direct reference is to your defendant's own eyes, which as they appear in this image do look very black to me. I think that what he

had done, with respect to Deanna Havas was completely without compassion. It was extremely vindictive. As I say in the previous, the previous page. Malicious vindictive, slanderous and misogynistic against an independent young woman, I thought that was a soulless thing that he had done. Still, I must actually believe that Luke Turner does have a soul because I do believe that we do all have souls. I think that in this moment he somehow forgot that fact.
Q. If we go over to 891, but the time of this one looks as if it is within a matter of hours or less of the one we have just looked at. Again, it is from you, isn't it, and it is directed at Mr Turner?
A. Yes.
Q. You say, "I've had enough of your disgusting behaviour and lies. I challenge you to a physical fight to take place in London one month from now."
A. Yes.
Q. "Are you man enough to accept?"
A. Yes.
Q. Now, he hadn't tweeted you in the

meanwhile, had he, so this wasn't a response to anything he said?
A. No, this is a response to his campaign against Deanna Havas, it is not a response to anything he is saying about me, it is a response to what he is saying about Deanna Havas. As I have explained, I thought that his activity towards Deanna Havas was outrageous actually. Now, this tweet is essentially a challenge to a dual, it is actually a facetious challenge and, to be frank, somewhat absurd. You know, it could have been quite an amusing event actually, we could have had a boxing match, for example, we could have buried all of this and this all would have ended in August 2018. That would have been a better ending, I think, to this story.
Q. What, if you had had a dual?
A. Yes, like, you know, Luke Turner and myself are both artists, in some form, why could we not have actually settled in matter rather than just allowing it to spiral endlessly in virtual space which is in the end what did happen with extremely disruptive

consequences.
Q. You mention London in that tweet, so did you know at that point that he lived in London?
A. It says on his profile page he lives in London.
Q. Did you know that then at that time?
A. It says on his profile he is based in London.
Q. So you knew it?
A. Yes.
Q. So, you seem to accept that this tweet could have been received and regarded as bullying, intimidating?
A. No, I don't accept.
Q. You are offering to have a fight with someone?
A. It is a challenge to a fight, it is not a threat, it is an offer which he has a choice of whether he wishes to accept or not, in the end he didn't reply to that a tweet either and I accepted that.
Q. I should say that this is, this along with all the other tweets that we have looked at this morning, over the blood in total, are ones

which you don't address in your witness statement. So, this is not evidence that you have given in this case so far. Can we go on to 892, the same day, but this time by the look of it in the evening at 11.30, nearly 11.30. So there are a lot of tweets coming out from you aimed at Mr Turner just on this one day and this one says, "I suppose it is not surprising that this invertebrate homunculus, who's already shown he has no manly virtues, would refuse the challenge of a dual." So, you are remarking, are you, on the fact that you have given him some time to respond to you to say, yes, please, I'd like a dual?

A. Yes, I am saying he has refused the dual. Obviously, he prefers to instigate mobs to attack people, to attack a young woman in particular who has offended him by laughing at this image, I thought that was a cowardly act by the defendant.

Q. You accept that he would have received this because obviously you have responded to his, to your previous message or you have re-tweeted your allege below.

this manner.

Q. I am putting to you, you didn't actually let me ask the question, that the definition of homunculus that a Jewish person would understand, is in relation to Jews in exodus from, in this case Germany or Austria as it became, and it is anti-Semitic?

A. This is a completely preposterous statement. I have never encountered before the defendant began to claim this association with Jews and the word homunculus.

Q. The other word that you used here, that added to it was "invertebrate", and I suggest that that was carefully chosen as well to correspond to reptile or some other snake, also a well-known anti-Semitic trope; do you agree?

A. No, I do not agree. The word invertebrate simply means spineless, it refers to the cowardice of the defendant. It doesn't refer to his Jewishness, nothing that I said to the defendant refers in any way to the fact that he is from a Jewish background. Nor do I believe, nor have I ever believed that any of his actions are related to this point. The

A. Well, as I say, the previous message does directly tag him, I don't know in fact whether he would have received it or not, at this moment actually I was also wondering whether he had muted me because he wasn't responding or acknowledging anything I was saying since July, since July 30th, actually.

Q. Can we, could you take up, please, bundle 7. It is tab 348.

A. I'm sorry, 348?

Q. Tab 348, page 5480?

A. Uh-huh.

Q. Now, this is a definition of the word that you used in that tweet, "homunculus"?

A. This is not a definition, this seems to be a painting with, or a postcard it says, which features the word homunculus. But the word homunculus simply means little man. Now, what the defendant appears to have done is search in Google 'homunculus ant-Semite', or something like this and come up with this image. Now, he produces this image and he says, ah, yes, this means that this is anti-Semitic. But the problem is that you can find almost anything if you operate Google if

defendant seeks to defend himself by claiming that all criticism directed against him, for whatever reason, is directed against him because he is Jewish, this is simply not the case. I am criticising the defendant, I admit intemperately, because of his actions towards Deanna Havas, because of his dishonest statements with respect to her, with respect to LD-50, this is why I am criticising the defendant. I myself am Jewish, I have obviously no animosity towards any other Jewish person, including the defendant, simply because they are Jewish. I was angry with the defendant because of his actions and I said that very clearly also in all of my statements.

Q. As I said yesterday, this is going to take a long time if each answer, which is essentially, with respect, telling me the same thing, takes as long as it does. So I think it is going to be easier if we try to stick to short answers, unless you have something new to say. I think, I mean my Lady, and certainly we will get to your case in defence of these tweets, which is what they are responding to

what you regarded as attacks on Ms Havas, so you don't need to keep the repeating it.
A. Okay.
Q. Because otherwise I am not going to finish before lunchtime. Or today. Can we go on, please, to page 902. The same tab, tab 40. I am going forward to 17th of August 2018.
A. I'm sorry? Page 902 of which?
Q. 902, tab 40, bundle 2.
A. Yes.
Q. So it should be 17th of August, a tweet from you; yes?
A. Yes.
Q. It says, "Is there a sleazier, more sanctimonious, more dishonest and more cowardly person in the art world today?" And it is again tagging, responding to Mr Turner who had tweeted about something that didn't say anything about you; agreed?
A. It is difficult to reconstruct the context of this. He is responding to a writer called Park MacDougald, who now is an editor at the Jewish magazine, Tablet. This is in the context of the defendant's campaign against

now Daniel Keller who had also, another Jewish artist stepped in to defend Deanna Havas. Mr MacDougald had made a response to some tweet by Mr Turner and I made a response to this tweet. In my recollection I deleted this tweet very quickly, I was triggered again by the defendant, sometimes it is difficult to resist responding to these kinds of things, but I did respond on this occasion and then I deleted it soon afterwards, regretting having responded because by this point I had ceased to respond to the defendant. Obviously, there is a gap of something like 12 days between this tweet and my previous tweets, in which I challenge him to a dual. It had become clear to me by this point that actually responding to the defendant was completely pointless because there was no way in which anybody could shake him from this course of action that he had embarked upon.
Q. Can we go on to the next tab in the same bundle, 41, and it is page 1052 and we are coming into September 2018. It is 4th of September and the tweet that I just want you

to look at, for context, is the tweet that Mr Turner put out containing an open letter which announced his withdrawal from the Athens Biennale. His letter, which I am sure you remember, set out his case as to the anti-Semitism and the fascism as he saw it at the time in the art world, specifically the trigger being, I'm just giving this for context, the refusal by the Athens Biennale organisers to take Mr Keller, who you have just mentioned, off the guest list, as it were, off the list of attenders.
A. Well, participating artists.
Q. Participating artists, on account of Mr Turner's accusation that Mr Keller had had been anti-Semitic, is that a summary that fairly, as briefly as possible, explains the context for the open letter?
A. Em ... --
Q. Just say yes or no to that?
A. I would say broadly, but with qualification.
Q. Right. So if you go on to, sorry back to tab 40, I don't know what end of the tab, but tab 40, page 908. My Lady will read for

herself the content of the open letter, you don't need to go to that now. So, it should be page 908. Now, this is your response on the same day, 4th of September, to Mr Turner's tweet with the open letter; yes?
A. Uh-huh.
Q. You say, "latest reviews?"
A. Uh-huh.
Q. Do you admit that that tweet was aimed at Mr Turner?
A. It is not aimed at him, it is a response to likely, yes, Poblish (?) which also mentioned me, which reiterated his claims that I was an anti-Semitic fascist, amongst other things. My statement here is obviously much drier than my previous statements to Mr Turner, having had the chance to reflect on it, I was just kind of almost baffled actually at this point by the defendant.
Q. Sorry, when you say dry, do you mean sarcastic?
A. Well, it is a dry statement, I don't mean necessarily sarcastic. But I mean it's like, obviously, this letter that he published vilifies myself, amongst others, in the context of this

vendetta he was prosecuting. So this is my dry response.
Q. If you go to the next page, 909, this is another response from you to Mr Turner's letter and this one just says, "LOL?"
A. Uh-huh.
Q. More of the same, in other words?
A. I was trying to laugh this off, you know, this was my attitude at this point and I also a basically wanted to say to Mr Turner that I wasn't, I wasn't bothered by what he was doing but I was actually bothered by what he was doing and I was also in contact with Deanna Havas at this time and she was very bothered by this and she was actually, she described having suicidal thoughts as a consequence of the campaign that the defendant had launched against her.
Q. I think we will look at the open letter in a moment actually, and I will ask you about that. But if you just go to 910 first. This is you again --
A. Uh-huh.
Q. -- the same day and obviously regularly tweeting in relation to Mr Turner on this day

and you just say, "I'm so bored of this guy I can't even be bothered?"
A. You saw I am regularly tweeting in response to him. I am tweeting, I make some tweets in response to an open letter that he publishes which viciously attacks me, these are my tweets. Obviously, you can see that the tone of my tweets has changed, quite considerably, and what I am saying here is I cannot be bothered to engage with him, I have had enough, I don't want to engage with him any more, I really don't.
Q. Could you just take up bundle 5, please, tab 164?
A. I'm sorry, which page?
Q. Page 4341. It is Mr Turner's open letter. It should be tab 164?
A. Yes.
Q. Now, you should obviously answer as you wish but because this is a long letter this has the potential for long answers, so I am going to try to keep the questions as closed as I can and you don't need to keep repeating your case about Ms Havas, we have got that, okay? I just want to ask you, if you look at

this letter, if you look at the second paragraph, which starts "Over the past two years" and the next paragraph, "I have been the subject of a foiled murder plot." And the one after that. What I want to ask you about those three paragraphs is what was objectionable about them in the sense that you were not in a position to know whether what he was saying about his own past experience was true or not. So, how could you have a problem with him?
A. I don't think that I did have a problem with him.
Q. Fine. Then you go on and you say, you have been saying of him that he was lying about the status of the LD-50 Gallery?
A. Uh-huh.
Q. Which he describes as alt-right and so forth. If you look at the next paragraph --
A. He described as, I'm sorry alt-Nazi was his description.
Q. Alt-right and alt-Nazi.
A. This was his original description.
Q. Well, it was alt-right AKA alt-Nazi?
A. He is now, he modulates that description

in this open letter, I think having realised that that was an excessive formulation.
Q. Do you accept that the next paragraph that starts, "In recent weeks, I have been targeted on social media by individuals associated with LD50, the fascist-leaning London gallery." Do you accept that that is a reasonable statement to make as a description of the gallery?
A. No, I do not accept that. I note that again he has gone from Nazi gallery to fascist-leaning gallery, so he has considerably walked back his initial claim that I found so provocative.
Q. You remember that yesterday we saw you have been quoted in the Hatton citizen list (?) as saying that the gallery was far right?
A. No, I did not say that, I said that the gallery hosted far-right speakers and that it --
Q. I stand corrected.
A. Uh-huh.
Q. But you remember that you have said that?
A. Yes, I did say that. But that's very different from saying that the gallery is itself

far-right.
Q. Then, look then at the next sentence, he says, "Miller directed dozens of abusive and bigoted tweets at me and those supporting me, and began making particularly sinister threats of violence, including a sequence of posts" and then he describes the ones that we were looking at before, blood and so forth. Why can't he write that statement in that letter?
A. Well, first of all --
Q. You did send dozens of abusive and bigoted tweets?
A. Well, first of all, I did not send bigoted tweets, also his description of what took place is not accurate, he says I have been targeted. No, I was responding to the statements that he had made, this is the actual chronology of events. He claims again satanic symbols, there were no satanic symbols. He says images of my face, there was one image of his face which was the image that he himself uses on his profile. The way he presents this information is as if I suddenly decided, for absolutely no reason,

to start targeting him, that is not actually what happened. What happened was he accused LD-50 without any basis of being a Nazi art gallery. In this paragraph he now withdraws that accusation, as I had asked him to at that time, but nonetheless misrepresents in the same breath what had actually taken place.
Q. You see what I suggest is that this letter, which is relatively moderate in comparison to some of the language that you have been using, is unobjectionable from the point of view of it being an account of somebody's experience; correct?
A. No, not correct. It is highly objectionable. The defendant does not accurately present his own actions with respect to this incident. He initiated our encounter because I was responding to his claim. Furthermore, I don't accept that this letter is moderate, this letter goes on to describe me as, if I can find it, as I believe, as a fascist, this is somewhere -- and indeed also Keller in these terms. Once again, these are terms which are used by anti-fascist activists

to direct violence towards specific individuals, these are not moderate terms and these are not even really opinions, they are ways of stigmatising people in order to exclude them from polite society and ultimately from their own human rights.
Q. Could you, please, now go back to bundle 2 and take up tab 42, page 1255?
A. Yes.
Q. This should be a tweet from the Gorsedd account, on the same day, 4th of September is that what you are looking at?
A. Uh-huh.
Q. It starts, "Luke(warm) Turner is mind-bendingly pathetic." And so forth. So this is from Ms Power, correct?
A. Yes.
Q. Do you think you would have seen that on that day, since you were following each other?
A. It's possible, yes, I think it is quite likely. I think I probably would have told her not to get involved with Luke Turner because of his demonstrated record at this point for extremely vindictive behaviour.

Q. I suggest the language that she uses is quite similar to your language, talking about pathetic, mean is one of your phrases from this morning, and so forth. Did you discuss with her the content of your messages to Mr Turner?
A. Absolutely not.
Q. I suggest it is unlikely that you did not?
A. I certainly didn't discuss it before she posted this tweet. We did discuss what Luke Turner had been doing to Deanna Havas in particular in conversations that we had in August and she obviously formed similar conclusions to me, similar conclusions to Daniel Keller, another Jewish artist, similar conclusions to quite a wide variety of other people as well.
Q. Thank you. Can we go back to tab 40, the same bundle, page 912. We are still on 4th of September.
A. I'm sorry, which bundle are you now in?
Q. The same bundle, it is at tab 40.
A. Okay. Which page?
Q. 912.
A. Okay. Yes.

Q. Now, this is a tweet on the 4th by an account called Evolutionist, which you re-tweeted, agreed --
A. I'm sorry, which page are we on?
Q. 912.
A. I'm sorry.
Q. It is the Charles Manson photograph?
A. Okay. Well, it is and edited version of that.
Q. Well, we will come to that. But you agree you re-tweeted this, yes, you can see that there?
A. Yes.
Q. The original of it is actually, because I know what you are going to say about it, so I will deal with it. I am afraid it is in a different bundle, it is at bundle 3, tab 51?
A. Uh-huh.
Q. Page 1835?
A. Yes.
Q. Do you see the same photograph there but it has the "Nike. Just Do It" slogan or symbol at the bottom right?
A. Yes.
Q. This is, I believe, the original tweet from

the Evolutionist account?
A. Uh-huh.
Q. I will come on, in a minute, to the Just Do It bit. But that account, do you agree, I don't want to have to turn it up but I will give the reference, that account was an account which, on the face of it, seems to venerate mass murderers and people who, in inverted commas "just do it" by acting on their impulses?
A. This is, again --
Q. We better have a look at it. It is bundle 5, tab 165.
A. Bundle 5. Yes.
Q. Page 4344 is the start of that tab. This is the Evolutionistx blog which is called, "Sacrifice Everything Memes", so it is a selection of memes that the operator of this blog seems to think people will be interested in, and they all have the, "Believe in something. Even if it means sacrificing everything" and you can go through it and see that it is being applied to mass murderers, July 11 attack on the World Trade Center, Timothy McVeigh, Lee Harvey Oswald is in

there, and then at 4355 and 4356, the two that we are going to look at now.
A. Well, I think that since we're on this point we should also ...
Q. Can I ask you a question about that.
MR WALKER: I am sorry, he has been cut across three times now.
MS EVANS: I have not asked a question.
MR WALKER: We have not had a question and he has been taken through documents, I keep having to get up, but he was trying to make a point on the cropped image which was then put to him, then he is taken to another document, and it is getting to the point where it is unfair.
MRS JUSTICE COLLINS RICE: Well, I am myself doing my best to follow this line of questioning. We are going to get to a question soon, but at the same time none of this is an invitation to make a statement from the witness box. I am mindful of my duties to keep an eye on the fairness of these proceedings. So far I am satisfied we are on the right side and I do not want to interrupt the flow and I do not want to deliver a lecture

on not giving extended statements from the witness box because, actually, the answers to the questions, albeit extended, are interesting. But, equally, we do need to make progress. What is the question on this series of images?
MS EVANS: There is more than one question. The reason I am having to jump about is that it does need some context and that is the only reason.
MRS JUSTICE COLLINS RICE: I understand.
MS EVANS: I accept that it has become a bit protracted. The first question, which is why I did not cut across the witness, because I have not asked it yet, is about this, what we are looking at here at tab 165. Were you aware of this, the Evolutionistx one, and the, "Sacrifice Everything Memes" chapter, if you like?
A. Yes, I was aware of it.
Q. Right.
A. I would like to point out a very important piece of context, however, which I think that, for whatever reason, you have elected not to mention, which is that these memes were all

produced in response to Nike's advertising campaign featuring Colin Kaepernick, so the slogan, "Believe in something. Even if it means sacrificing everything", this is Nike's slogan, this is why it has a Nike tick at the bottom. Now, the reason why these images were produced were, in the words of the maker of these images, "Nike is giving terrible advice. Anyone who encourages you to sacrifice everything is probably a charlatan and actually wants you to sacrifice everything for them." So, these images mean that Nike's images are totally nihilistic and they are satirical responses to the Nike advertising campaign. They are not venerating mass murderers, they are saying that Nike's slogan actually ultimately has that meaning.

Q. Thank you. The images of Charles Manson and, as we have seen, and I will come on to it, at page 913 of tab 40, Elliott Rodger, they were Tweeted out by Evolutionistx on the 4th of September, were they not?

A. All of the images were Tweeted out by

Evolutionistx, if I recall.

Q. And those two, the Charles Manson and the Elliott Rodger images, you chose to Retweet on the same day, the 4th of September, and those are the ones on pages 912 and 913?

A. Actually, if I recall correctly, I chose to Tweet other images as well. These are the ones that your client chose to screenshot.

Q. And you make a point - if you stick on page 912 - you make the point about it being significant that the Nike logo has been removed?

A. Yes.

Q. Well, my client's evidence which is in his witness statement is that it is only the screenshot that does not show it, but live, when you clicked on it, it did show it; it is just that the screenshot does not capture the full image. So, that is his evidence, okay?

A. This is a misrepresentation of the meaning of the image, which, in addition to the elision of the context in which the image first appeared, namely, as a satirical response to the Nike advertising campaign, completely

changes its meaning.

Q. I am not sure that you listened to or understood what I said, though. But his evidence will be that, when you as a user clicked on this Retweet, it opened up.

A. On my Retweet, this is the case.

Q. No, in his archive.

A. His archive doe not contain a link. His archive is simply a flat screenshot. You cannot find a full sized image.

Q. If I am wrong on that ... You are right about that in the archive, but that is the reason - it is not that it has been cropped.

A. No, it has literally been cropped.

Q. We will have to disagree about that.

A. You can see that it's also been cropped on the level of the date and the Retweet information. The date has been cropped here as well, you can see that on page 912.

Q. I have got your evidence on that.

A. Yes.

Q. Mr Turner's evidence is the explanation. What matters, which I will finally now get on to asking you about, is why you Retweeted these images on this day?

A. I thought these images were quite strange. I thought that the point that she was making with respect to Colin Kaepernick and the Nike advertising campaign was quite sound. This was the reason.

Q. You deny, do you not, that they were intended to be received by Mr Turner or seen by Mr Turner?

A. They had nothing to do with him. I had already stated by this point that I was bored of Mr Turner and I wanted nothing more to do with him in the Tweets that we have previously just seen. I'm fairly sure that I'd even actually deleted those Tweets by the time that I Retweeted these images. These were images that I saw that were unrelated to Mr Turner, they were related to Nike's nihilism, that's what they were about. He has chosen to pretend that they are about him because this is the agenda that he was seeking to prosecute; he was attempting to compile material to attack me. And he put them on his web page on that basis.

Q. And I will just make clear again that there is nothing in your witness statement to

explain these images?
A. These images have nothing to do with the defendant.
Q. Could you go on please to page 914 of the same tab, tab 40? This is the 5th of September, the next day, again you see at the top there is a link in to Mr Turner's open letter in relation to what we have looked at, and you reply saying, "It's a death rattle." That reply was targeted at Mr Turner, was it not?
A. It wasn't targeted at him, it was in response to Nishiki Prestige, who is a musician who I worked with, I wrote song lyrics for him at one point. The statement expresses my hopeful belief that the defendant would actually now end his campaign and this was his final act, basically, because the open letter was really quite absurd. You know, it was saying that Daniel Keller, who himself is Jewish, is guilty of anti-Semitism for defending Deanna Havas and so on and so forth. So, this is what that statement means.
Q. Thank you. Go on to 917, please. This is

another one from you and this is in respect of the Hope Not Hate, who had Tweeted that they stood with Mr Turner on his stance against anti-Semitism and Fascism, and you Tweet, "Laughing my fucking arse off." Correct?
A. Um hum. Well, "LMFAO", I Tweet.
Q. That is what it means, is it not?
A. Well, it is also just a point of internet lingo, but, yes, this is a phrase that indicates irreverence in response to what I thought was an actually cynical statement by Hope Not Hate. They're standing with Luke Turner in condemning a Jewish artist for anti-Semitism, in condemning Athens Biennale for not deplatforming Daniel Keller on the defendant's demands. It was extraordinary what Hope Not Hate said and did here, I thought, actually, because, in my opinion, what was going on here actually had nothing to do with anti-Semitism or Fascism.
Q. I suggest - I am not going to keep saying this every time - but I suggest that actually you knew that this was going to come to Mr Turner's attention, because obviously it is a

reply to Hope Not Hate that was supporting him, and the effect and the meaning of what you were doing was minimising his experience of anti-Semitism?
A. He had not experienced anti-Semitism from Deanna Havas and he had not experienced anti-Semitism from Daniel Keller and he had not experienced anti-Semitism from Athens Biennale. This is what I'm referring to in this Tweet. His previous experiences rely upon his own account to understand what did or did not happen there. I don't think that the defendant's account is credible based on the evidence that I have seen supporting it, but I had nothing to say about that at this time, or in fact subsequently.
Q. 918, the next page, please, same day and it is you again responding to a different Tweet from Hope Not Hate which again was supporting Mr Turner. You say, "It would take a heart of stone to look at this page without laughing." Why is the tone quite so mocking?
A. Well, this is a quote by Oscar Wilde, as

you may recall, this is what he ...
Q. But why is the tone so mocking when you know that it is directed at Mr Turner?
A. It's directed at Hope Not Hate and it's mocking because Hope Not Hate are uncritically reiterating the defendant's position, which is not true, which is not an accurate presentation of what really transpired. It says, "Individuals associated with ..." blah, blah, blah - this is not really what happened and, furthermore, there were no death threats.
Q. But you were part of that flood, were you not?
A. No, I was not part of a flood. I was responding, first of all, to your client's dishonest and baseless claim that LD50 was a Nazi art gallery, which he subsequently withdrew, and then subsequently his targeting of Deanna Havas. This is not a flood of - certainly not bigoted messages. I never said anything bigoted to your defendant.
Q. Can you go on to 923, same tab? In effect, the same day but it is the middle of the

night of the 6th, at 3.35 a.m.
A. I'm sorry, which page are we at now?
Q. 923.
A. Yes.
Q. It is the one that says, "Fascist art gallery" and it is a Retweet of the Hope Not Hate message we have just looked at, and then your reply, "Entartete Kunst", although you have misspelt it, I think, but in Germany in the mid-century that was a term used by the Nazis for degenerate art, was it not?
A. Yes, it was.
Q. And that degenerate art was principally or to a great extent by Jewish artists, correct?
A. No, that is not correct. I don't think that's correct. It was in relation to all forms of modern art.
Q. It included many Jewish artists, did it not?
A. I think it included some, but the phrase itself is intended to describe what the Nazis saw as corrupt forms of art, and my statement here is in reference to Hope Not Hate calling LD50 a Fascist leaning gallery. The point is, again, to exclude the LD50 gallery from

within the boundaries of what's considered to be acceptable art. So, this is a critique of Hope Not Hate's, in my opinion, parallel rhetoric to Nazi rhetoric because, once again, they're imposing political criteria on art.
Q. I suggest that this was a message, again, which was directed - sure, it was also directed at Hope Not Hate - but it was directed as well at Mr Turner and it was directed in an anti-Semitic way because of the meaning of degenerate art and he being a Jewish artist?
A. Well, I deny that Entartete Kunst has that meaning. I think that it's not correct to say it's also directed at Hope Not Hate. It's exclusively directed at this concept of a Fascist art gallery. This is the only art which features in this Tweet and response. My statement on this point is not particularly precise, actually, because they're not claiming that LD50 is degenerate exactly, but they are claiming that it's not legitimate art. That is what Hope Not Hate are claiming of LD50. And my response is actually to this account Futurist. He is highlighting that

point, "Fascist art gallery." What does, "Fascist art gallery" mean? It means Entartete Kunst - that's my claim in this Tweet.
Q. Could you go to bundle 3 now, tab 53?
MRS JUSTICE COLLINS RICE: We need to look for a suitable point to have a break.
MS EVANS: That might be it.
MRS JUSTICE COLLINS RICE: That might be it.
MS EVANS: Yes.
MRS JUSTICE COLLINS RICE: Very good. Five minutes, then.
(11.45)
(A short adjournment)
(11.51)
MS EVANS: Mr Miller, could you please take up bundle 1 and go to tab 13 initially? This is the pleadings bundle.
A. Yes.
Q. And I think you were shown yesterday your signature. This is when you gave some extra evidence-in-chief. Tab 13, page 287. I am sure you do not need to be reminded but do you remember you were asked to confirm

that you signed that?
A. Yes.
Q. And then tab 14 was an annex to that document. Page 290, in the middle, items 5 and 6, you were asked about, and you admitted in your evidence, in oral evidence-in-chief that this had not been dealt with in your witness statement. You admitted that you had signed a statement of truth, which you have seen, on something which in fact was not correct. Do you remember that?
A. Yes, I do admit that.
Q. So, in other words, what you signed was that it was, that this was what you knew at the time, which is that a particular Tweet, which I am going to come on to, dated 19th of October 2019, from the account DC Groyper, was a reply by an unknown third party - correct? I am reading from page 290.
A. Um hum.
Q. And then it went on to say that, "The inclusion of item 6 in the archive ..." - in other words, Mr Turner's archive in relation to you - " ... conveys and appears intended to convey an impression that it was a reply in

visually aggressive terms ..." by you, and that, it says at the end, "This is wrong." So, you now accept that that statement is wrong in the sense that you did know that DC Groyper was operated by someone that you knew?
A. That's correct.
Q. And is that Miss Power?
A. Yes.
Q. I suggest that what you said there - and she also, of course, is responsible for this statement and I will ask her about it - it is significant because what you have admitted there is that one of your Tweets, sorry, one of her Tweets appeared to convey and did convey an impression that was, as is described here, as being, "In visually aggressive terms." Can we look at that Tweet? You see that in bundle 3, tab 53, 2703. What you see on this page is the context, so the Tweet at the top from Mr Turner is the first Tweet complained of by you and Miss Power in the libel action, is it not?
A. Yes.

Q. Dated 18th of October. The one below it was a reply to that Tweet and according to you it was sent by Miss Power, correct?
A. Yes.
Q. And according to you, the image there was in visually aggressive terms, correct?
A. I would need to look at this again, but it is certainly presented on the defendant's website as having that meaning.
Q. We can look at it at the archive, if you like, if you think there is a difference. If you go to tab 3 of bundle 1, it is page 39, it actually starts on page 38 at the bottom, which is the first Tweet complained of - do you have that?
A. I'm sorry, I'm having ...
Q. Tab 3 and page 38.
A. Okay, yes.
Q. So, right at the bottom is Tweet number 1 from Mr Turner, yes?
A. Yes.
Q. You turn over and there is the reply from DC Groyper.
A. Um hum.
Q. So, do you still accept, as you said when

you signed that statement of truth, that that is an image which is visually aggressive?
A. I don't think it's exactly precise, this description. I note also this Tweet is presented out of chronological order. It's connected to a Tweet that had appeared on the 30th of July in the defendant's archive. I don't know why he's presented it in this manner.
Q. Can I just stop you there and just check what you mean? You are not disputing, though, are you, that it is a reply? It is dated the 19th of October and it is a reply to Mr Turner's Tweet from the day before - you are not disputing that?
A. No.
Q. What you said, if you go back to tab 14, which is your now partially withdrawn statement ...
A. What bundle are we in now?
Q. Sorry, same bundle, tab 14.
A. Okay.
Q. Bundle 1. I will wait for you to get it. Page 290.
A. Yes.

Q. So, you say, "The inclusion of item 6 ..." - which is this 19th of October, DC Groyper Tweet - " ... in the archive ..." So, your complaint there, bearing in mind you said it was from an unknown third party, was that it was unfair and possibly defamatory of you to suggest that you had some connection with a Tweet sending an aggressive message to Mr Turner, correct?
A. I did have nothing to do with sending this Tweet. The statement, "The inclusion of item 6 in the archive ..." - out of chronological order, by the way, again - " ... conveys and appears intended to convey the impression that it was a reply in visually aggressive terms by the first claimant." Yes, that is why it has been included in the archive, out of chronological order. Yes, I think that's a true statement.
Q. Just so we are clear, you accept it was a response to Tweet 1? You have just said that.
A. Yes, it was a response to the defendant's Tweet.
Q. Yes.

A. Which, as I understand it, was actually a thread in which he was attacking various individuals, including myself. The image itself, I don't know if you want to get into the content at this point, but ...
Q. I am going to ask you about the content.
A. Okay.
Q. But I think that your description of it initially as visually aggressive speaks for itself.
A. Well, I'm sorry, I said it conveys that impression in the context of his archive.
Q. So, look at the image itself, then, page 2703. It is an image, is it not, of a man on the stake? And usually a man is on the stake when he is about to meet his death, is he not?
A. Well, this is specifically Oliver Reed on the stake. He is on the stake in the film The Devils, which is a Ken Russell film. He is being examined by this inquisitor character. The meaning of the DC Groyper Tweet, as I understand it, was that Mr Turner was in the position of the inquisitor and I was in the position of the man on the stake.
Q. You discussed this with Miss Power

before she sent it, did you?
A. No, I did not.
Q. How did you know the meaning?
A. Because we'd watched this film.
Q. Thank you. Can we go on a bit please? This is back to bundle 2, tab 40 again.
A. Yes.
Q. Page 942, and we are up to the 27th of October.
A. I'm sorry ...
Q. Bundle 2.
A. Yes.
Q. Tab 40.
A. Yes.
Q. 942.
A. I don't have this in my - 942, tab 40, bundle 2?
Q. Tab 40, page 942.
A. 942?
Q. 942.
A. Yes.
Q. So, this is the 27th of October, you see that there?
A. Um hum.
Q. And it is a reply by you to an account

called BasedBrooklyn. This is with your new account, by the look of it - do you see that?
A. Yes.
Q. Dctv ...
A. Yes.
Q. _ od.
A. Yes.
Q. Now, it is right, is it not, that after this Tweet, I think you went off Twitter for a while?
A. That's correct. Well, yes, shortly afterwards.
Q. What you say here, and Mr Turner was Tagged, so I suggest it was targeted at him by you, you say in reply to BasedBrooklyn, who is one of the many people that has been involved in the pylon targeting of Mr Turner ...
A. In responding to Mr Turner, yes.
Q. ... you say, "And soon the subject of a lawsuit which is really going to hurt, given that he's the heir to a huge textile fortune." What you meant by that, was it not, that he was another wealthy Jew?

A. No, I make no reference to anything to do with Judaism here, but I believe it is the case that Mr Turner is very wealthy, he is the heir to a huge textile fortune, as I understand it. He has persistently denied this for reasons that I can't quite explain, but my Tweet has no reference to Judaism. And also, by the way, this is a response, I believe, to also the same Tweet where he is claiming that I was a Fascist writer under investigation by police for making death threats towards me, so this is a reply to that same thread.
Q. If you go to 947 of the same tab, please. The same day, the 27th of October, and two Tweets from you there, and it is the first one I want to ask you about: "Luke Turner is the heir to a £50 million textile company, so this should be good." Is that a reference to your intended lawsuit?
A. Yes.
Q. So, you are doubling down here on what I might call the wealth trope?
A. The defendant is very wealthy. He has hired some of the wealthiest, I'm sorry, some of the most expensive lawyers in London in

order to defend his claim. It is a fact that the defendant is wealthy. It's not a trope.
Q. What is the relevance of it in this context, if that is true?
A. What is the relevance?
Q. In your Tweets, what is the relevance of his so-called wealth?
A. It's simply a fact. I suppose the relevance of it in this case is that he does have something to lose. I think that, looking at this now, I realise that, unfortunately, also the defendant's wealth has meant that this whole proceedings has dragged on much longer than it otherwise would have, so this is obviously an optimistic statement which I am making at this point when I still know very little of how justice works.
Q. The reason I said just now that - I asked you if this was the last Tweet from you for a while, and you agreed it was, is because what you did in these two Tweets on the 27th of October, I suggest, is, you lit the touch paper of another facet of the harassment that Mr Turner went on to experience, which was specifically the one about his alleged

inherited wealth. Yours was the first Tweet, was it not, to do this?
A. I don't believe that that's the case. I think that this was a claim that was made by an account called Truth Lamp, which I believe was operated by Daniel Keller. He was the one who found this information and he was the person who began to - that's where I heard it from. I was not the first person to -
Q. We might, sorry, have to go through this bundle now again. Bundle 3, tab 51.
A. Which page?
Q. Page 1911. This is 15 November and it is a thread which says at the top it involves Benjamin Bratton and Ed Formieles liking a tweet by Daniel Keller. The reason I want to say this is that the top one, which is the tweet by Daniel Keller that is mentioned - this is after your tweet -
A. Mm.
Q. He repeats the "heir to a fortune" claim which you had started. You see that there?
A. No, I am sorry. This is not accurate that I started this. This was a claim that I had

heard from the account Truth Lamp. This was where the claim first appears. I did not initiate it. This was where I discovered it.
Q. But you agree that Mr Keller is repeating it there?
A. I believe that Mr Keller was the person who in fact initially discovered that the defendant is as wealthy as he is and he posted that information on the Truth Lamp account that was operating in response to the defendant's campaign against him. Daniel Keller is a socialist. This is the point of interest for him. Personally I have no actual real issue with the defendant's wealth per se, except insofar as it has meant he has employed these very expensive lawyers to prolong these proceedings.
Q. And the other reason I wanted to go to this page is because you will see that it says that Mr Keller's message was liked 32 times and then a subsequent message by him was liked 73 times making the same point about the wealth. I suggest again that this is part of the latest - the next phase of the harassment that Mr Turner suffered instigated by you.

A. No, this is again not correct because it was not me who first made this claim with respect to his wealth, which appears to be furthermore factual. It was the account Truth Lamp, which is operated by Daniel Keller, which he started in order to respond to the defendant's campaign against him in which the defendant attempted to exclude him from the Athens Biennale and Keller responded by finding this information out and he first of all presented it in his anonymous account and subsequently he repeated his own discovery here under his own name.
Q. I am sorry about the jumping about, but could we go back to bundle 2, tab 41, page 1077. It is 20 November. This is just the last example I will give of what I described as lighting the touchpaper on this wealth myth, if I call it that. If you see two down, somebody called Sean Moran says: "Trying to make sense of him inheriting 49 million dollars and thinking anyone else is an oppressor but him. What a fucking loser". And then that is immediately followed by Mr Turner tweeting the tweet which becomes

tweet 2 in this action, the libel action. Do you see that?
A. Mm hmm, yes.
Q. And that is why he says in it: "Very kind of you to spread this dog-whistle lie that was started by DC Miller."
A. Yes, this was another defamatory statement by the defendant. I did not start any dog-whistle lie that the defendant is extremely wealthy. You refer to a wealth myth. It actually appears to be a wealth fact that the defendant is very wealthy. This is, as far as I understand it, a fact. This was a fact which was discovered by Daniel Keller and subsequently repeated by him and was of great interest for many people who did understand that it did somewhat undermine the defendant's claims to be an oppressed victim, which was the claim that he was making.
Q. In the same tab, I think, if you are in tab 41, could you go to page 1112, going forward to February 2019 now. It should be 5 February and these are some tweets by Mr Turner and I am just going to these to set the

context for this next couple of questions. so, this is where you will remember Mr Turner announces that a talk that he was due to give at the Robert Grunenberg Gallery in Berlin had been cancelled.
A. Mm hmm.
Q. And it had been due to intimidation from the far-right and risk to his safety and that of the audiences. He puts it there. Do you see that?
A. Mm hmm.
Q. I want to look at your responses in the period after this in a minute but first I just want to ask you this. In your witness statement at paragraph 38 you say - I will read it out. If you want to look at it, it is in bundle 1 but you may not want to. Do you want to look at it?
A. Yes, why not?
Q. It is bundle 1. I am not sure what tab this is - 29.
A. Yes.
Q. You need to find paragraph 38. I will give you the page number. It is 404.
A. Okay.

Q. Now, what you say there, you say: "On 22 December 2018, the Defendant tweeted" and then you set out the quote which is actually the third tweet that you sue on in the libel action.
A. Mm-hmm.
Q. But you then say in the last sentence: "By this point", by which I assume you mean 22 December?
A. Mm-hmm.
Q. "I had not engaged with the defendant for four months. I felt sick and exhausted to be slandered and abused again." But we have just seen, have we not, from the tweets that we have just been looking at, that that was not true, that you had not engaged with him for four months?
A. No, I guess it was two months. To be honest, I'd forgotten some of these tweets.
Q. You can close bundle 1 and go back to bundle 2.
A. Mm-hmm.
Q. To start with again it needs a bit of context. Tab 41.
A. Mm-hmm.

Q. Do you have that? Page 1117.
A. Yes.
Q. Now, I am just going to set the scene, as it were. It is Mr Turner at the top, February 11. "Meanwhile, Daniel Keller, the Antifa artist, whose harassment of me over the past six months (including disseminating antisemitic propaganda about me) forced my withdrawal from the Athens Biennale posted these overtly creepy tweets about my Berlin appearance." Now, when this says, "Berlin appearance", he is referring to the cancelled appearance at the Grunenberg Gallery, right?
A. I think so, yes.
Q. You can take it from me, I do not think that is controversial.
A. Mm.
Q. Then if you go on to tab 40 - sorry, one tab back, page 948.
A. Yes.
Q. This is 12 February and these are tweets by you, yes?
A. Mm mm.
Q. With your new account name.
A. Mm mm.

Q. And you are responding to Mr Turner's announcement about the cancellation at the Grunenberg Gallery. Correct?
A. I am responding to his claims about me in which he claims first of all I'm a superfascist; second of all that I've instigated an harassment campaign that has led to death threats and which the Met Police has been investigating. That is what I am responding to.
Q. I think it is fair to say, and your counsel will correct this if it is wrong in re-examination, but this marks your return to Twitter.
A. I felt compelled to respond -
Q. Can you just answer the question?
A. Mm, yes, this is correct.
Q. This, 12 February, marks your return to Twitter, yes?
A. That's correct, yes.
Q. Sorry, say what you were going to say.
A. No, no. Please continue. Well, I was going to say why I'd returned to Twitter at this point and this was in response to the defendant's fresh allegations against me.

Following my tweets in August - I am sorry in October - myself actually accompanied by the second claimant, we did seek advice from a libel lawyer with respect to the claim that the defendant had made about the death threats that he said that I had made against him, which I had never made. We talked to them. they advised us not to proceed at that point. I just hoped that this would go away but it was obvious now, February 2019 - so this is actually four months since I've engaged with the defendant - and he is still continuing to attack me. He won't leave me alone. I thought, "This will never end" and it's also at this time, I think, if I recall correctly on February 14th or 11th - I can't remember - where he begins to claim that I wrote the Hitlerian Disability Politics article which is another escalation because now he's claiming that I've written articles that don't even seem to have ever existed and attributing them to me.
Q. Well, let us just get the chronology right.
A. Okay.
Q. You might want your witness statement

again, actually, because you do actually deal with this point.
A. Mm hmm.
Q. It is paragraph 51. Go back to bundle 1. Tab 29, I think it is.
A. Okay. Page?
Q. Well, it is internal page 15.
A. Okay.
Q. Paragraph 51. So, you have just mentioned in your evidence just now that you were responding to one of Mr Turner's posts about you.
A. Mm hmm.
Q. And what you say in paragraph 51 is that he issues a new attack on you.
A. Mm.
Q. That is the Hitlerian Disability Politics tweet, correct?
A. Mm.
Q. You say in that paragraph: "This was too much. I was outraged to be accused of writing something so repulsive. I never wrote such an article" and I make clear again that subsequently Mr Turner realised it was not by you.

A. After a long period of time.
Q. I am not putting anything to you that contradicts that at all. Then you say at the bottom of 51: "At this point I had not engaged with the Defendant for six months".
A. Mm-hmm.
Q. We have just seen that that is not correct, have we not?
A. Well, I admit that I did engage with him in October. This was in response to the beginning of his circulation of claims that I had made death threats against him. I would say that I had not meaningfully engaged with him. I mean our initial engagement, and really our only sustained engagement had occurred in early August. Following this engagement my intention had been to walk away from this encounter. The defendant would not allow that to happen. He continued to issue claims. I had forgotten some of the responses that I made to him. Also, as I said, because I did delete them quickly, because I did understand on some level at this point that it was totally counterproductive to respond to Mr Turner

because any statement that you make in response to him he takes out of context and he adduces as evidence that you are harassing him when you are in fact responding to his claims. So, I accept that there were tweets that I made which did refer to him, which were responses to him which I had forgotten about. These were two tweets in October but our meaningful encounter had happened in early August and this is what I am referring to here.

Q. This does not matter because we have already been there but there were also, remember, the tweets in November which we have been looking at.

A. Tweets in November? I was not on Twitter in November.

Q. Oh, sorry, that is my mistake.

A. Mm.

Q. But what I want to ask you about in relation to this paragraph 51 is what you then say at the start of paragraph 52 because in 51 you say that he has issued a new attack on you.

A. Mm.

Q. So, in 52 you say: "As a result, I created a new Twitter account in order to respond to these claims."

A. Mm.

Q. Now, we have just seen from the tweet that I took you to in tab 40 at line 48 that that is not correct because you actually reappeared on Twitter on 12 February --

A. Mm.

Q. -- for which you would have had to have created your new account. Correct?

A. No, I can see that I got the chronology slightly wrong here. I created an account to respond to his reiteration of his claims on February 11 after a long period of time in which I had had no contact with Mr Turner, that I had made death threats against him, which were not true. This was why I created a new account. As I say, I had hoped that Mr Turner could just forget about me. Obviously, he still had his page about me which was continuing to circulate. He was claiming on February 11 that I was somehow engaged in an ongoing harassment campaign against him. I had stopped responding to him

in any form whatsoever since October when I made very minimal responses saying that I was going to sue him for libel. So, there was nothing I could even stop at this point. It was somehow - it was an harassment campaign that existed in his mind because I was making no responses to him whatsoever and so this was why I created this account in response to his February 11 claims.

Q. I am not sure which bundle you are now in but can we go back to bundle 2, tab 40?

A. Yes.

Q. It is page 951 which is 13 February.

A. Mm.

Q. So, it is the day before the Hitlerian Disability tweet by Mr Turner and this is your saying: "Portrait of the artist as a paranoid schizophrenic."

A. Mm.

Q. That was directed at Mr Turner, was it not?

A. It is not directed at him. It's a statement.

Q. Was it about him?

A. I was thinking of him, yes, because it was obvious that his vendettas had spun

completely out of control since his initial commencement of the campaign against Deanna Havas. They'd extended to include Daniel Keller, the Athens Biennale, actually alsoRed Scare and Anna Khachiyan. whom he banned from Twitter for saying the word "retard" which then had another echo. The defendant at this point convinced himself that the world was engaged in a gigantic conspiracy against him and this was really not true. This was something that unfortunately he had developed for whatever reason and I do believe that the defendant is profoundly unwell, actually, on this point.

Q. Could you go to tab 40, or maybe you are still in it, and page 953.

A. Mm-hmm.

Q. I just want to really speed this up so I am just going to take you to some pages that show you tweeting, I suggest, about or to Mr Turner on 14th and 15 February and I suggest that each of those messages from you were part of your harassment designed to oppress him. So, just so you know the context, okay?

A. Mm-hmm.
Q. So, page 553 is the first one, 14 February. "Luke Turner is tweeting as a resident of a lunatic asylum."
A. Mm-hmm. Well, there was another tweet that was actually attached to this which we see on page 954. It is a quote from Gunter Grass. It's the famous line of the Tin Drum.
Q. And what difference does that make to what you are saying about Mr Turner?
A. I am saying Mr Turner is mad. I am responding to his -
Q. Could you go on to 956?
A. Mm-hmm.
Q. Here you are directly responding on 15 February to Mr Turner's message about the cancellation at the gallery and you say: "I wonder how this will end for Luke".
A. Mm.
Q. That's a bit threatening, is it not?
A. Not really. This is also a response to his claim that I am a Neo-Nazi - this is an extremely abusing and threatening statement - who is being investigated for death threats, which is not true. I would say that my

response in this case is actually very moderate and cool.
Q. Page 960. More of the same, I would suggest, on 15 February, so there is a torrent of them from you all directed at Mr Turner, or about Mr Turner. You can read those for yourself - describing him as psychotic, mad and so forth.
A. These are again - I think it is important to point out these are responses to Mr Turner's claims against me. They're not coming out of the blue. Mr Turner is saying I am being investigated by the Met Police. We now know that he knew that that wasn't true at the time that he wrote it. He is also claiming I'm a Neo-Nazi. This is a grotesquely offensive statement to me, especially as a Jewish person, and he has also claimed on 14 February that I have written an article called Hitlerian Disability Politics, which does not seem to have ever existed in any form. So, I do believe that I have the right to respond to these statements and I don't think that my statements in this case are intemperate or out of order in any way. I think that his

statements have revealed that he is not in connection with reality. That is the general claim that I am making. I am making this claim also to defend myself because he is making extremely defamatory statements about me. He is saying that I have written this repulsive article. I have a right to defend myself from this claim.
Q. Could you look at page 979 next? This is 16 February, the next day, and it is two days after the Hitlerian Disability tweet that you said caused the anguish and anger.
A. Mm.
Q. And we will see your reaction to it here. This is the only record we have of your direct reference. "Laughing my arse off".
A. Mm.
Q. You need a magnifying glass to see the text here below but what you see is the 9inchsock account saying, "Can the @metmuseum confirm this" and it is a reference to, and you see the first of the three in that little box, Luke Turner, and that is the Hitlerian Disability tweet.
A. Mm.

Q. So, your response, and he then also says, "On a blog since deleted" - your response, because that comes later, obviously, was just to laugh.
A. My response is to make a statement. My concern at this point was to show people that I had not written this article and I was also trying to convey that impression, so I was a little ungrateful for this statement because it was itself a witticism the account seems to have tagged, "the metmuseum" as opposed to the Met Police, and this is the joke in this case, but I was very disturbed by this. It's a very disturbing thing to have people attribute just simply repulsive sentiments to you repeatedly which are the direct opposite of what you believe, and to spread those claims, and -
Q. I suggest to you, Mr Miller, that this is the truth of how you reacted, this tweet, that you were not bothered, you were not sick, which is what you said in your witness statement about it and in fact in general you did not really care about Mr Turner's tweets. You were just interested in bullying him.

A. I think this is a very peculiar proposition. I was sufficiently bothered by Mr Turner's statements to initiate libel proceedings against him. I do not want people to believe that I am the author of an article which calls for the state mandated euthanasia of disabled people. This is an abysmal and abhorrent idea to me. I am extremely bothered by this statement. I say here, "Laughing my arse off". Okay, you know, I have also a desire to deflect on this point but I don't know if we would be in these libel proceedings if Mr Turner had not claimed that I had written this article. I can't have Mr Turner claiming that I've written articles that I've never written, and I completely reject, and I said that I rejected these articles. I said that I didn't write this at the time I believe I responded to his claim. Mr Turner simply ignored that because he was precisely circulating this in order to smear me.

Q. There are a number of other tweets from you along the same lines in February but I am not for the sake of time going to go through them but they effectively do the

same thing. They call my client a schizophrenic and mad and so forth and indeed, going back the wealth (inaudible).

A. Well, they were fact, I believe is the case.

Q. What I would like to now move on, because I am coming towards the end of this cross-examination, is to ask you about an exhibition that was put on in Los Angeles in the same month, February 2019. You probably know the one I am talking about. It was held at a gallery called Jenny's and you will see, if you go to bundle 6, a bundle that has not been visited for a while, I think, tab 196, page 4530.

A. Under which tab?

Q. Tab 196 it should be, I think.

A. Okay. Yes.

Q. That, I think, should be the flyer or anyway some information on the material for this exhibition and the exhibition was called "#luketurnerisretarted". Correct?

A. Mm-hmm.

Q. That is plainly about Mr Turner, do you agree?

A. Yes, his name in relation to him, yes.

Q. In fact, I think it had a second title, which was "#luketurnerisgay". We see that in the first paragraph of that material.

A. Mm-hmm.

Q. If you turn over to 4352 - it is under tab, actually, 197, page 4352, part of the exhibition, and I cannot remember if I have said it - the exhibition was by a Canadian artist called Mathieu Mallouf and it included a sculpture of a figure which you see in this photograph at 4252.

A. Mm.

Q. This figure, I suggest to you and many others at the time also perceived, was meant to be Mr Turner. Correct?

A. I think that is not correct. I don't really know. I've never spoken to Matthew Mallouf. I had no connection to this exhibition. This sculpture appears to have been originally exhibited in 2017 in Mexico City. The title of the sculpture is Tankie Meme. It's based on an unusual style pioneered by a New York graffiti artist called Kaws. Mr Turner claimed that it was meant to be a representation of him. I don't know

what Matthew Mallouf has said on this point. I don't really have any particular perspective on it, to be honest."

Q. Obviously, it is not your sculpture so I am not asking you questions based on what you intended it to be. I just want to get your view, and I am going to give you a list of the criteria which it is suggested indicate very strongly that this is meant to be a depiction of Mr Turner and that it is highly antisemitic.

A. Well -

Q. Can I give you the list?

A. Yes.

Q. The first is obviously that it is a sculpture in an exhibition called #luketurnerisretarded. That is a bit of a clue, is it not?

A. Well, as I say, this sculpture was produced prior to the exhibition being made, so I don't know at what point it may have become about Luke Turner or not in the mind of Matthew Mallouf, which I have no access to.

Q. The second point is in relation to the appearance, that Mr Turner was very often photographed wearing all black clothes and a

black hat and I am going to give one example of that at bundle 5, tab 125 where you see him wearing a Fedora, which is depicted in the sculpture. I do not know if you want to go to it but -

A. I don't know what I can meaningfully contribute on this point because -

Q. I am going to ask you when I put the criteria to you whether you still do not accept that it is antisemitism or it is about Mr Turner. That is where I am going with it.

A. Well, I don't know what Matthew Mallou's intentions were in exhibiting this sculpture. As I said, this sculpture was exhibited before this exhibition. But if you are going to ask me whether I believe the sculpture is antisemitic I can respond to that claim. I don't think that it is personally. I don't see any reference to Judaism in this sculpture.

MRS JUSTICE COLLINS RICE: Would you like to hear the question first --

A. I'm sorry.

MRS JUSTICE COLLINS RICE: -- and then you can give your assessment in

response?

MS EVANS: I am giving you a checklist of the features, which I suggest demonstrate it is a sculpture of Mr Turner and it is anti-Semitic. We have done the title, the clothes, there is a black beard, there is a bulbous "Jewish", in inverted commas, nose. Do you remember yesterday you agreed that when we looked at some images of Jewish stereotypes there was one of Mr Turner, a distorted image of Mr Turner with a skullcap and an enlarged nose and you agreed that that was anti-Semitic?

A. Well, I think that there is a difference between, as I understand it, the anti-Semitic trope with respect to Jews is specifically a hook nose not a bulbous nose, I don't see this nose as being clearly anti-Semitic.

Q. Thank you. The next feature is the hammer and sickle for eyes, which I suggest is a standard way of representing a Jewish Bolshevik.

A. Well, the name of the sculpture is Tankie memes, so it refers to Stalinism specifically, the Stalinists are Tankies. Stalinism is the

most anti-Semitic of the Bolshevik leaders actually, he himself led anti-Jewish purges. I think that it obviously refers to Bolshevism, Communism, left-wing ideology. The defendant himself explicitly asserts his commitment to this ideology. It is, I think, a critique of Bolshevik ideology. Again, I don't see any connection to Judaism here, it is a hammer and sickle, it is not a Star of David and he is wearing a hat, but he is not wearing a skullcap, so I think that the connection to Judaism is not being made by this sculpture.

Q. Can I give you my last criterion?

A. Uh-huh.

Q. It is the raised fists, you see the raised fists?

A. Yes.

Q. Which, we suggest, is also a common feature of a stereotyping of a Jewish Bolshevik, and I will give you an example in volume 9, at 435. Page 6603.

A. Where is it, I'm sorry?

Q. It is volume 9, tab 435.

A. Yes.

Q. Page 6603, there is an enlarged image?

A. Yes.

Q. Just so you know where it is from, it is from a poster of a Jewish Bolshevik from the US Holocaust Memorial Museum?

A. Okay.

Q. I am obviously taking you to it because of the raised enlarged fists in the image. You will see this is clearly supposed to be a Jewish person, there is a star, the large nose again, the stereotypical features?

A. Well, this is obviously an anti-Semitic caricature. I suspect that as with the homunculus example earlier your client found this image by typing in "Jewish stereotype, anti-Semitic raised fists" into Google and found something that corresponded to the images that he was attempting to find. I don't think you can see clearly differences between this image and Mathieu Malouf's image. The nose is different, this person is wearing a Jewish cap, Mathieu Malouf's image is not. So, although I agree obviously that this image, this image from the -- I'm sorry, did you say the Jewish

Holocaust Museum, is anti-Semitic, I don't think that it is, that means that Malouf's image is.
Q. Thank you. Could you go back to bundle 2. It is tab 41, page 1552.
A. 1152.
Q. 1152. It is a tweet by Mr Turner of 2nd of May, 2019.
A. Okay.
Q. You will see that there are two images in his tweet?
A. Uh-huh.
Q. One is of you and Ms Power?
A. Uh-huh.
Q. Which, I don't think it is controversial, and it is captioned, is at the Prague Microfestival in April 2019?
A. Uh-huh.
Q. The one on the left is a poster that was used by the organisers of that session to promote it?
A. That's incorrect. This was an image that was produced subsequent to our appearance at the Prague Microfestival.
Q. All right, I accept that, but it was used in

connection with it?
A. It was used in connection to the campaign of the defendant and his associates to target the Prague Microfestival in order to de-platform us. Based on the claims that we have seen previously by the defendant, the Prague Microfestival did not do so and they produced this image in response.
Q. For my Lady's note, for later on, there is a better reproduction of this image. It is in bundle 3, at tab 51, 328.
MRS JUSTICE COLLINS RICE: Thank you.
MS EVANS: What you see, for the sake of time I'm not going to go to it now because I don't think that it is going to be productive, but what I suggest to you, a bit like I have just done with the other sculpture, or with the sculpture rather, is that the image that was used, which I say you were at the very least aware of and did nothing to try to stop --
A. I was not aware of this image.
Q. -- stop being associated with the event that you had attended, was that it had clear anti-Semitic features. For example, the

defendant, we should establish of course it is Mr Turner on the left, the defendant's face and what you will see is that it has, the Zodiac killer symbols superimposed on to it, so it is another serial killer reference. The words, "Art Capitalism's Dark Operators" is a play on Kapo, I suggest, which is a slang name for Jews that collaborated with the Nazis, correct?
A. That's correct.
Q. The reference to Saatchi art, I suggest, is a reference to the owner of the Saatchi Art Gallery, Charles Saatchi who is well known to be Jewish, would you agree with that?
A. I didn't know it, to be honest.
Q. Do you agree that that image is highly anti-Semitic?
A. I don't agree that it is highly anti-Semitic, I think that the identification of the defendant in a way or rather this word, "capitalism" is problematic. The reference to the Zodiac killer seems to have been pointed out by the defendant's close associate, Andrew Osborne, who says that he is obsessed with the Zodiac killer, but that's by the by. I had

no involvement in the production of this image. If the organisers of the Prague Microfestival had asked me before they published it, I would have told them not to do it.
Q. You say that in your witness statement at 96?
A. That's correct.
Q. Why is that? Why would you have told them not to do it?
A. Because I think that the nature of the defendant is such that responding to him is a very bad idea, irrespective of his own actions because it simply results in this quicksand of allegations in which he claims that he is being attacked for no reason, that all attacks against him are anti-Semitic in nature, so on, and so forth. I would also note, speaking of the term, "Kapo", I myself was accused of being a Kapo by anti-fascist activists for daring to speak about Julius Evola at an Israeli bookshop in Berlin, which was later shut down with threats of violence, so I am familiar with this term. It is obviously a very offensive term. I don't approve of this

image, I didn't have any involvement in this production. I don't know whether you should say it is highly anti-Semitic or not, I think that there are various things going on here. I don't know necessarily how to read it.
Q. All right, thank you. I have come to the end, you will be pleased to know, I suspect everybody will, of going through the tweets. I am going to put to you now what my client's case is against you in relation to the harassment. I suggest that what all of that material shows and your evidence in this court is that you engaged in a course of conduct against Mr Turner that amounted to harassment of him over a lengthy period of time and that you knew or ought to have known that that did amount to harassment. Correct?
A. Incorrect.
Q. You had no reasonable basis for conducting yourself towards him as you did.
A. That's also incorrect.
Q. Finally, I want to ask you about your case on alleged serious harm and damage flowing

from the Tweets that you sue on, and you sue on 15 of them and you sue on - and this is important, I think -you do not sue on the archive, you sue on the content of them; you only sue on the epithets. And that is a matter that your lawyers understand and address, but I want to just ask you some very brief questions about the claim that you have suffered serious harm to your reputation and you have suffered distress. First, in your particulars of claim - and I do not think you need to turn it up - at paragraph 12.2 you have claimed that you were deeply upset by the allegations that Mr Turner had made in his Tweets, but you have given no evidence in your witness statement about that at all, save in one discreet respect, which was in relation to the Hitlerian Disability blog post, Tweet number 6, which you deal with at paragraph 51 of your witness statement, which we went to a little while ago, where you say it was too much and you were outraged. But as I suggested to you when we looked at your, "Laughing my arse off" response, it is not true, is it, that you were

distressed by that?
A. No, it is true. It's an extremely distressing experience, as actually the defendant himself should know, to have a large network of people on the internet dedicated to defaming you, to harassing you, to threatening you. The defendant has operated as the node of this network in connection with many of his associates. This has been a very distressing experience. It's been like kind of a form of psychological torture. Also because I have continually, rather, I have repeatedly stated my actual convictions with respect to the points that the defendant has accused me of. All of these statements are simply ignored. In the case that you present, for example, you have simply ignored all of the articles that I have written, you have not cited one article that I have written. I have published more than a hundred articles in this period, I would say, dealing with various subjects, also defending myself from accusations that have been made by the defendant and his associates, and you have simply ignored them because they

undermine your case. So, I would ask you to understand what it would mean to have a situation in which you are unable to even ever change somebody's mind about what is apparently an opinion, no matter what you say about it. It's been a very distressing experience.
Q. And I suggest that, consistent with your reaction to that Hitlerian Disability Tweet, that flippancy is consistent and can be seen in your overall reaction to the defendant's Tweets that you are suing on, which was generally to trivialise what he was trying to say and is the opposite, I suggest to you, of being upset?
A. I did want to trivialise his allegations on some level because I wanted to take the sting out of them, and I also had very few other options available, frankly. Also, since the defendant actually succeeded in banning me from Twitter, both in October and then again in February, I was unable to respond to his claims. He continued to circulate his claims. When somebody accuses you of a very serious thing, sometimes it does make sense

to simply try and laugh it off as a method of protection, and this is why I made those statements when I did. They are statements which are made to the public, they are attempting to show that I don't take these things seriously, but I did take them seriously and so did other people.

Q. And there is nothing in the private conversations which we have seen, your WhatsApps with Miss Power for the limited period of the summer and into the autumn of 2018, that suggests any upset on your part, or any reaction at all?

A. That's not correct. There is, at the end of the messages, I say, "Well, I'm going to have to pursue a libel action against the defendant because he's claiming that I'm making death threats against him, which is not true." Now, most of the defendant's most disturbing behaviour came after the period that we had this WhatsApp chat, because he just kept going. He continued, for example, to accuse me of harassing him when I was making no response to him whatsoever. So, now I'm in a situation, according to the defendant, I'm

harassing, I can't stop harassing him because I'm already doing nothing. This is also a very strange situation to be in from a psychological point of view. How do you stop harassing somebody when you're making no contact with them whatsoever? It became clear to me at a certain point that the defendant had become completely obsessed with this vendetta that he had been pursuing, not only against me but against anybody that was also defending me or defending them or defending anybody else, and it was just going on and on and on and it was spiralling out of control. Now, when we were invited to participate in the Prague Microfestival in May - you cited this image - the defendant and his associates very energetically attempted to remove us from the Prague Microfestival. They also at this time, in February - this, I suppose, is a point that the second claimant will address more fully - the defendant began to target the second claimant simply because she was my friend. His essential proposition was that I could have no friends. Nobody could defend me. I

was indefensible. Anybody who attempted to defend me, he would attack in the most brutal terms. And I ask you, on what basis he believed he had the right to do that? I admit that I had an angry exchange with him in August. I wanted to walk away from that encounter. The defendant would not allow that to happen. That's why we're in this court room.

Q. And also what one discerns from the WhatsApp messages that we have got which, as I have said several times, are the only evidence of contemporary communications that you have revealed - was that you were recommending writings by explicitly anti-Semitic individuals to Miss Power on several occasions, which I suggest does not sit with someone claiming damages for libel for an allegation of anti-Semitism?

A. It is simply not true that I was recommending anti-Semitic literature. Nina and I were discussing the ideas of the Right in general and we were discussing also anti-Semitic literature. I don't recommend any anti-Semitic literature to Nina. We simply

discuss it. Now, it is the position of the Anti-Fa that discussing something, if they don't like what you're discussing, equates to endorsing it. Now, this is a position that in fact leads directly to the end of critical discussion altogether because it means that you cannot discuss extremist ideas, for example. You must simply somehow ban them without even discussing them, without even attempting to understand them, and I must say, I mean, this is a very problematic position for a liberal society to tolerate, and I think we cannot tolerate it, actually; I think that we have to defend discussion, and that means also discussion of material that we don't like. And I never endorsed that material, I never recommended that material. You say that I mentioned Kevin McDonald's book as a recommendation of his work. It's obvious in that exchange that I side with Cofnes' critique of him. You have not in fact produced one piece of evidence in which I recommend anti-Semitic literature. I do not.

Q. Mr Miller, I have got two more questions and then I have finished. When you gave

your extra evidence-in-chief yesterday, which was in response to my Lady saying that she was looking very carefully at your case on serious harm, you did not add very much, in my submission, but you did refer to the web page, by which I take it you mean to be your description of the archive?
A. The archive, yes.
Q. And I think you said that you found it deranging, but, as I have said, you are not suing over the content of that archive, you are suing over the content meaning. And the second thing that you said, I think, in that evidence-in-chief, by stressing it, was that you were upset and deranged or annoyed by descriptions in the archive of you as a Fascist. But you are not suing over that allegation, as you know. The second question ...
MRS JUSTICE COLLINS RICE: I am sorry, was that a question?
MS EVANS: You are quite right, no, it was not. The question was going to be: in view of the fact that that was your evidence, do you still say that you are upset as a result of

the reference to Fascist in the Archive?
A. The reference to fascist is not simply upsetting. It is a label which is applied to people in order to stigmatise them and direct violence to them. This is the explicit position of the antifascist ideology that the defendant identifies with and his actions towards me have contributed to people literally attacking me in the street, people that he was in contact with. He in fact celebrates violence attacks on me in his conversation with Andrew Osborne. I have suffered enormous harm from the defendant and all I want, in fact, is for him to just leave me alone. That's all I have wanted from him since early August and I hope, I really do hope, that this trial will result in that outcome.
Q. The final point. In your particulars of claim, your amended particulars of claim at 12.3 and 12.8 which relates to your serious harm claim, you tentatively refer to damage in the eyes of professional contacts as a result of publications but you give no evidence about that so I do not ask you any questions about it because there is nothing to ask you

about. I am just making that clear.
A. Well, I can actually address that point.
MS EVANS: So, is there an argument on that? (To the witness) So, I am going to put the case to you that -
MR WALKER: I am so sorry. That is a statement and he is saying, "I would like to respond" and he is being told he should not respond. Either the statement should not be made because we are not in closing submissions or he should be able to respond. That is my submission.
MRS JUSTICE COLLINS RICE: He has given evidence that he has been damaged in the eyes of professional contacts. That is his evidence, so he may be questioned on that.
MS EVANS: But he has given no particularisation of it.
MRS JUSTICE COLLINS RICE: He may be invited to.
MS EVANS: Yes.
THE WITNESS: I can respond.
MS EVANS: Answer as you wish.
A. There are several particular cases of this. One is the second claimant herself. The

second claimant has been extremely viciously targeted and persecuted by the defendant and by the associates of the defendant for the crime of associating with me, her friend. This is why she was targeted and she has lost a lot as a result of refusing to accede to their demands to denounce me. There is also a writer named Adam Laurel. Adam Laurel is a New York art critic. He is also Jewish. He shared my work at one point, I think in 2021. As a result of sharing my work or finding interest in my work, he was fired from his position as a music critic for a magazine called The Quietus. The editor of the Quietus repeated claims made by the defendant in his message. He said that there was a potentially violent fascist - these were the defendant's claims. Laurel also refused to accept that and I think credit to him but what his case illustrates is that there has been a kind of stigma imposed upon me, I would say as a result of the defendant's energetic campaigns to prevent people from sharing my work or finding interest in my work or responding critically to my work.

The only appropriate response that one is supposed to have to my work, according to these activists, this activist network of which the defendant is a part, is my most[?] denunciation. Anything else is suspicious. Anybody else who takes a similar attitude is themselves attacked. This is what cancel culture is about. Anybody who is defending somebody who is cancelled is themselves cancelled. This is a politics of intimidation and fear and I have been a target of that, and I do not want to think of myself as a victim because this is not something that I like to do, but this is the reality that I have experienced. It has been extremely persecutory reality and that persecution has been directed by the defendant.

Q. I am going to just finally put my client's case overall to you, both the libel claim and the harassment claim and it is this. Far from you having a legitimate libel complaint against him, it is you who is the perpetrator against him of a vicious persistent wholly unjustified and unreasonable harassment campaign against him which you instigated

in July 2018 and went on into late 2019. It included death threats and threats of violence and which the police investigated and which the defendant believed and any honest person could have believed was antisemitic. Moreover, my client also believed and any person could have believed -honest person could have believed - that your Twitter output in the period in question as encompassed in the content warning, was racist, antisemitic, homophobic, transphobic, ableist and misogynistic. Now, I did not strictly need to put the last bit to you because those are opinions but I have done it just to be clear about the case being made.

A. There is a complete inversion of reality. I have wished to detach myself from any engagement from the defendant as early as early August. The defendant has pursued a relentless and vindictive campaign against I think now more than a dozen targets, of which I am one and maybe the main one, but in either case the only one who has decided to actually challenge his claims along with the second claimant to this point. I note that

you yourself have actually not provided any examples of my own tweets being racist or misogynistic or antisemitic or any of these other terms. You have relied instead upon associations, guilt by association that you have claimed with other people who have made statements that I reject. I think that that absence of evidence on this point also goes to the case that the defendant is making because he simply does not have that evidence because there is no evidence because I am not racist, because I am not homophobic, because I am not antisemitic, because I am not a fascist, because I did not make death threats against him. These are not true statements. They are statements that have been produced by the defendant in order to attack me as is his somehow mode of operation. He is pulling this same operation on many different people and it is too much. We have to also stand up for the truth. That's why we're in this courtroom.

Q. Thank you, Mr Miller. Wait there.

MRS JUSTICE COLLINS RICE: Mr Walker, how long do you think you will

need?

MR WALKER: I have been anxiously looking at the time.

MRS JUSTICE COLLINS RICE: Yes.

MR WALKER: I think this will take more than half an hour.

MRS JUSTICE COLLINS RICE: Yes. Well -

MR WALKER: I have specific references to take the first claimant to and I have to be direct.

MRS JUSTICE COLLINS RICE: Okay. We will resume at five past two. When we have completed this witness's evidence, we might just survey the scene in relation to the timetable for the rest of the trial.

MS EVANS: If it helps, I am fairly confident I will be quite a bit shorter with Ms Power, but it is obviously not entirely in my hands.

MRS JUSTICE COLLINS RICE: Of course. I understand that. Well, we will return at five past two then. I am afraid I must issue the usual -

THE WITNESS: I understand.

MRS JUSTICE COLLINS RICE: Thank you.
(13.03)
(The short adjournment)
(14.04)
MR WALKER: Mr Miller, could you turn to volume 1, tab 38.
A. Yes.
Q. And of course, I have gone to the wrong one straightaway. It will be volume 7, actually, tab 315. This is an article written by you.
A. That's correct.
Q. It was suggested to you that there has been no disclosure of material which criticises the right. There is another reference that I want to take you to. Volume 1, tab 38, page 751.
MRS JUSTICE COLLINS RICE: I do not have page 751, I am afraid.
MR WALKER: This article, "We Must Burn Bap", essentially, what does it say, Mr Miller?
A. Well, the title is, "Must We Burn Bap". This is a reference to a famous article by

Simone de Beauvoir, "Must We Burn Sade". The article attempts to understand the phenomenon of this internet personality, his name is, "Bronze Age Pervert". He is a peculiar phenomenon. He has been treated by many people as, somehow corresponding directly to a political phenomenon. I argue that he is, actually, instead an aesthetic phenomenon and that his transgressive statements are also part of a kind of aesthetic project. His statements are transgressive, in the same way that, obviously, the Marquis de Sade was transgressive. So, therefore, I say that he is a an extremely important case to consider, from the point of view of what should be censored or what should not be censored.
Q. There is a paragraph beginning, "Hitler was a psychological and criminal phenomenon".
A. Yes.
Q. What do you mean by that?
A. Well to read the whole sentence, "Hitlerism was a psychological and criminal phenomenon, mixing fanaticism and

cynicism, not a stable ideological position.". Then I quote Joachim Fest who is a biographer of Hitler, and he also wrote more generally about the psychological structure of national socialism. My claim is that the essence of the Nazi phenomenon is very similar to the essence of the Bolshevik phenomenon. It is not the expression of people who have sincere beliefs. It is an expression of deranged, criminal, psychopaths who seize power in nations which are suffering or are unstable. I also say that Charles Manson is an example, Jim Jones is an example. I say anti-fascist activism is an example. I say these are all examples of pathological and criminal, and political phenomenon.
A. Thank you, Mr Miller. And the page number for that is within tab 315, the page numbers are 5142 and 5143. Do I understand it, to summarise, that you are not advocating right-wing politics, but there is a criticism of it from you there?
A. I am highly opposed to all forms of ideological fanaticism or extremism. I think

that they are in all cases, whether on the left or on the right, fundamentally similar. They are psychopathological. We need to understand them on this basis.
Q. Can I ask you now to go to bundle 5. There will be lot of swapping of the bundles, I am afraid. That is just the nature of it. Bundle 5, tab 131 and this is page 3724.
A. Yes.
Q. If I can take you, in fact to 3724 first.
A. Mm-hmm.
Q. This was the part that you were taken to. At the top, it is, I believe it is you, is that correct, saying, "He's probably got the most sophisticated anti-Semitic theory"?
A. Yes.
Q. If we go back to 3723, then at the bottom of the page, starting at 23.21.22 - I will read it, "Hope you had an ok day. Quiz was great until Paul, the guy who runs it, started going on about 'the Jews' running the world afterwards, which rather soured things because Jacob was there. Aaaargh."
A. Mm-hmm.
Q. "The Jews, yes. What do they run? They

run some things... Was unfortunate....also a question about Tommy Robinson in the quiz which perhaps a surprising number of people playing took as an opportunity to sing TR's praises. Paul was like 'Rothschilds, tentacles'". Who are you speaking to there?
A. I was speaking to Nina.
Q. And then, over the page is the word, "sophisticated" used. Now, did you understand that my learned friend was cross-examining you to suggest that because you use the word, "sophisticated", the connotation was you were saying that was a positive thing?
A. I did understand that, yes.
Q. And help us with the context here. If we go back, just to the previous page, what is in actual fact the exchange that is going on here?
A. Nina is discussing, I think, the quizmaster of a pub quiz that she was participating in, going on about the Jews in kind of deranged and fantastical terms, "Rothschilds, tentacles" etc. So, this is clearly not much of a theory. It is merely, a strange fantasy

really.
Q. This passage where, "until Paul, the guy who runs it, started going on about 'the Jews' running the world afterwards".
A. Mm-hmm.
Q. Was that a comment advocating that kind of world view?
A. No, Nina was, I think quite clearly, criticising him. "Going on", I mean this suggests that he is off his rocker in a certain way.
Q. So, help us. The word, "sophisticated".
A. Mm-hmm.
Q. Is it correct when it was suggested to you that the connotation or the import should be because you said, "the most sophisticated anti-Semitic theory".
A. Mm-hmm.
Q. Is the import that you think that is a good theory, a positive theory?
A. No, I don't think it's a good theory. I clearly side with Cofnes's critique. I think we have seen today and also yesterday, quite a few examples of extremely crude expressions of antisemitism. Kevin

MacDonald's theory is more sophisticated than those very crude expressions and it is more sophisticated than Rothschilds and tentacles. I think you could say his theory is, sophistic, actually would be a word that could be more precise to describe his theory, as I understand it from reading Cofnes. Cofnes criticises him on the basis that MacDonald is highly selective in his evidence, that he excludes evidence that doesn't support the case that he is attempting to make, that his theory is actually, not a good theory and his theory is not true. He produces a theory, Cofnes produces a theory, that is how I understand it.
Q. Help us with this, Mr Miller. Ideas, positions that people take, theories, positions or ideas that you agree or disagree with, what is your approach to ideas?
A. Well, I think you have to, first of all, attempt to understand an idea as neutrally as possible, understand the basis for an idea. You could say ideas also don't, in fact, occur first of all as ideas. They occur in the context of statements, so, you have to understand the

idea in a statement. You have to understand why people are making certain statements and then you have to consider the idea, ultimately, from, I would say, a logical and an ethical point of view in terms of its implications were it to be adopted as an organising principle of society.
Q. Is assessing an idea and adopting an idea - are they different things?
A. Absolutely.
Q. What do you do?
A. I assess ideas. I have some ideas of my own. I seek out, also, ideas that are not my own ideas, challenging ideas. I also want to understand those ideas, I want to understand ideas that challenge my world view. I want to critically assess those ideas.
Q. Critically assess?
A. Absolutely.
Q. The gentlemen that we have heard about, who you met at LD50, who ran the Twitter handle ParallaxOptics.
A. Mm-hmm.
Q. What was the purpose of, what has been described as, your association with him?

A. I wanted to understand his ideas and more generally to understand the ideas of the right. The gallery had presented these ideas. I thought that was a worthwhile thing to do. I myself was not particularly familiar with these ideas. I wanted to learn more about them. I wanted to understand why it was the case that these activists were saying that these ideas could not be discussed. As I mentioned, I just held up a sign that said, "The right to openly discuss ideas must be defended". So, Mr Stokoe approached me shortly after my protest. Having made this statement, I believe that I was under some obligation to act upon it, and I began an association with him because he represented himself as somebody who, in a way, believed in these ideas.

Q. And did you know many people who presented those ideas, personally?

A. No, he was the first one that I had ever heard. He was actually advocating a "neo-reactionary" position as he described it. And so, we discussed this, and this was the basis of our engagement.

Q. And was that intellectually stimulating for you?

A. Yes, it was. I would say that I did learn some things about what neo-reaction really was. A lot of things had been said about it. I think it was important to go to the source itself, in terms of what it says about itself. I don't embrace their position. From my point of view, actually neo-reaction is too technocratic. I think it is not really an ideology that I find sympathetic as somebody who is also a religious person, actually, because this is not a component of its thinking. It is quite scientistic. There is an element in it, I would say, which is somewhat interesting in terms of how it is positioned as an extremist ideology, but I would say that, in fact, many of the institutions that are operating in the world are, actually, themselves, to some extent, operating on what you could describe as almost neo-reactionary premises. And so, it is almost as if, actually, the thought itself is excluded or supressed, but the reality continues. I think you see this also with Nick

Land actually. I mean, Nick Land, is a somehow, marginalised figure, but the ideas of Nick Land are, actually, not that marginal. And there are many people who are considered quite mainstream, who actually hold very similar positions. The person I think of is, Yuval Noah Harari, actually, who is celebrated all over the world. He is a very popular author. He holds very similar positions to Nick Land.

Q. You held up a placard.

A. Mm-hmm.

Q. Shortly, if you can. Why is it important to defend the right to openly discuss ideas?

A. The placard, actually, had two sides. On the first side was, "The right to openly discuss ideas must be defended", and on the other side it said, "Stand up to violence and intimidation". I believe that we must defend the right to discuss ideas because if we are not discussing ideas, we can't understand ideas. If we can't understand ideas, then we can't really understand anything because the world is organised through ideas. So, when an organised activist group states that a

gallery is not permitted to discuss certain ideas, then the question is, what is the authority upon which they are operating? They have no legal authority. They are a group of anonymous activists that are exclusively threatening violence because they are saying that they do not allow these ideas to be discussed because they have determined that it is impermissible. Now, I don't believe that any activist group, from either the left or the right, has any authority to make that kind of judgment. I think that if you are operating as an anonymous network of mass activists and you are intimidating gallerists or bookstorers, as subsequently became the case, this is a very disturbing development, I thought it was necessary to stand up specifically also to this activist network. I don't think they have the right to suppress discussion this way. If we don't have discussion, and I said this at the gallery, then what we have is violence, what we have is competing forms of violence. This is what we must avoid actually, I believe as a society, we have to keep discussing it, not

fighting.
Q. On the subject of violence, there was a question to you, and forgive me because I didn't note it down properly. But you referred to violence in the words that Mr Turner had used against you. Do you recall? You used the word, "violence" for the way in which you had been treated?
A. Oh yes.
Q. Can you just explain that, I'm not asking for a -- why did you use the word, "violence"?
A. The so-called anti-far movement explicitly claims the right to use violence against people that they designate as fascists, so when they call someone a fascist, they are saying, you can physically attack this person. At LD-50 itself I was physically assaulted. My sign was ripped from my hands, I thought this was somehow quite a symbolic moment. Subsequent to that, I was very systematically targeted on social media by the activists who had been responsible for organising the protest against LD-50. From their point of view it was essential that they

defamed me as a fascist because the, actually moderate liberal position that I was presenting was threatening to them, they also wanted to make an example of me because they didn't want anybody else to stand up against them, so their position is essentially violence. They do not have an interest in discussing ideas. They want to silence anybody who opposes them and they mobilise rhetoric and language in order to do that, and I would say that is in itself a very violent use of language.
Q. So, words and rhetoric, is that your answer, do I understand it correctly, words and rhetoric can equate to violence?
A. If you are a part of an activist group that explicitly says that violence is permissible, or even encouraged against certain designated groups of people, then the use of language obviously has a violent function. It is clear that words can encourage violence, that's for sure, I think that the logic of scapegoating in general is a perennial logic and it has been applied to many different kinds of individuals and groups throughout history,

including of course the Jews. Before that, witches in 16th century Europe. If you call somebody a witch it was not really your opinion that they were engaging in witchcraft, it was direct call to burn them actually and I think that the word fascist today has a very similar connotation.
Q. Thank you. Bundle 4. Tab 101.
A. Tab 101?
Q. Tab 101. Is that the -- is this, tab 101, is this the article that you sent to Mr Turner?
A. Yes. We can see in this article that you mention, and it is at page 3129. You explain that you made a sign saying "The right to openly discuss ideas must be defended?"
A. Uh-huh.
Q. You sent that to Mr Turner?
A. Yes.
Q. Why did you do that?
A. After he claimed that the gallery was a Nazi gallery, my initial understanding was that he just didn't know what he was talking about and so therefore I sent him this article to explain the context of what had actually happened. This is a very empirical article, it

describes a sequence of events, the chronology accurately and precisely, and I think it occurred to me that he should be aware of that because it seemed to me that maybe he wasn't.
Q. Thank you. Can you, staying within this bundle, behind tab 121, and it is a page 3240?
A. Yes.
Q. The right hand image, "Scrolling down their insta account has left me shaking?"
A. Uh-huh.
Q. These are exhibitions from LD-50?
A. Uh-huh.
Q. From that, can you deduce that this is a Nazi space?
A. Definitely not. I'm not sure when this image was captured because obviously -- no, I think this -- yes.
Q. As I understand it, I will be corrected if I am wrong, but this is an archive of the previous exhibitions from LD-50?
A. That's correct.
Q. The evidence that has been received, or will be received, is that Mr Turner looked at

the website and deduced that it was a Nazi space. Do you agree with that?
A. Absolutely not. I myself, when the accusations first began to be made against LD-50, I also researched whether there was a basis for them. You can see here they previously had exhibitions with Jake & Dinos Chapman, very well-known artists, Jesse Darling, who currently is nominated for the Turner Prize, it was just a normal art gallery.
Q. You can help us. When we talk normal art, we have the Tate?
A. Uh-huh.
Q. The Tate Modern, British Museum, the V&A, I don't need to trivialise the artistic importance of LD-50 but it was a room in Toxteth, wasn't it?
A. Yes, it was an independent project space, as I understand it, operated by Lucia Diego, who is a Spanish woman, who was, it was, I think, mainly focused on net art, it is a speciality, so it was interested in investigating all phenomenon related to internet art, the internet in general, art being

made about the internet, et cetera.
Q. Help with us this, if you can, from volume 1, tab 7, this is the image of (inaudible). This is the image of Mr Turner on the lampshade.
A. Uh-huh.
Q. Volume 1. It is tab 7?
A. Yes.
Q. I don't think there is going to be a dispute here, but help us if you can. The lampshade, you have already said it is plainly anti-Semitic. It was suggested to you, although I don't think you answered, with the soap dispensers denoted the cleansing of Jews. Have you got to tab 7?
A. Sorry.
Q. I'm so sorry, I have --
A. Which page is it?
Q. It is page 137, the rather, I am sure we all agree, this is the unpleasant image of Mr Turner's face on the, on a lampshade?
A. Yes.
Q. Do you understand that the connotation of soap and Jews within the Holocaust, because that is the --

A. I'm sorry, I just have a cramp in my leg, which is why I am --
Q. Take your time, you tell us when you are ready, Mr Miller?
A. I think I am ready, yes.
Q. Okay?
A. Yes. Yes.
Q. The lampshade, it is because the suggestion, or there is a suggestion the skin of Jewish people have been used to make lampshades?
A. I have heard this story, yes.
Q. The soap dispensers, I suggest, the imagery concerns Jewish people's back being turned into soap?
A. I haven't heard that before but I can --
Q. Thank you. If you can't help us, I will move on.
A. Yes.
Q. Volume 2, tab 41.
A. Yes.
Q. This is the Deanna Havas exchange with Mr Turner. It was --
A. I'm sorry, which page? Volume 1?
Q. It is volume 2.

A. Yes.
Q. It is tab 41.
A. Yes.
Q. It is page 100 and -- 1040.
A. Yes.
Q. You were taken through this exchange?
A. Uh-huh.
Q. The suggestion was put to you that Ms Deanna Havas, who is baby D --
A. Uh-huh.
Q. -- was being, Deanna Havas was being abusive back, let's read this, "Don't", she remarks after Mr Turner, "Don't tell me what to rethink, but do have a nice day."
A. Uh-huh.
Q. Is that abuse?
A. No, I don't think so.
Q. Mr Turner says, "Not good enough." Then he says, "I am afraid your stance makes you complicity in anti-Semitic violence, no matter whether you are Jewish or not. Perhaps you cannot relate, but that is your privilege." She says, "Do spare me the 'woke' lingo and do me a favour, rather than scrutinizing every minute action (such as

faving a replied tweet of a cartoon) as an act of symbolic violence, go outside and enjoy life for a change."
A. Uh-huh.
Q. Do you agree with the suggestion that was put to you that Deanna Havas was being abusive back to Mr Turner?
A. No, I do not.
Q. In your witness statement, paragraph 28, I won't turn it up, but for my Lady's reference, it is paragraph 28 and the witness statement of Mr Miller can be found at volume 1, tab 29, page 401. This is the aspect that I am asking you to go to, at paragraph 28, and you were asked by my learned friend for the defendant --
A. I'm sorry, forgive me, which folder is this in?
Q. This is volume 1, this is your witness statement?
A. Right. Yes.
Q. So, it is tab 29, page 401?
A. Yes.
Q. Paragraph 28.
A. Uh-huh.

Q. You were asked about why you changed the image on your Twitter handle to that of a zombie?
A. Uh-huh.
Q. It is not the only time you have done that, is it?
A. That I have changed my Twitter image?
Q. The image when you were on Twitter?
A. No.
Q. You changed your Twitter image to the Magen David AKA the Star of David?
A. No, the Magen David, yes.
Q. I am so sorry, I mean no disrespect by getting it right, I was actually trying to --
A. It also means the shield of David, in fact.
Q. You have explained to us, you were asked why you changed your Twitter image to that of a zombie, explain to the Court why you changed your Twitter image to the Star of David?
A. Because I wanted God to protect me from the abuse that I was receiving.
Q. Thank you, Mr Miller. Do you need any water?
A. No, I am fine.

Q. Help us, you said in your evidence that other people took these allegations seriously. Can you give us an example?
A. A recent example I can think of was a friend of my girlfriend's, who she was studying with at Slade, who herself was a Jewish artist, I met her, it was a very pleasant exchange and we invited her for dinner and then subsequently she decided not to come because she had seen the defendant's web page in the meantime and this had influenced her opinion to change her mind. She was, I think, scared and frightened by this page.
Q. Has it affected your work?
A. Very much so. The experience of questioning that we have had also today has been an experience that has been continuing really for the last five years. Any statement that I make, it seems that the defendant searches for some kind of anti-Semitic or fascist connotation that he can impute to this statement. It has just been so relentless. The defendant has also, as part of his campaign, taken to searching me out wherever he can find me, he has disclosed images taken from

inside my house, he circulated images of my mother, amongst his anti-activist friends. I made a film, I wrote a script for a film, it recently came out, I don't really know to describe this in detail, but a lot of my mind has been taken up with the kind of concern about what the defendant could be doing next and the ever-present threat of the defendant in a certain way that ... this is a subjective experience but it has been painful. I have tried to respond to this by thinking carefully about what this kind of behaviour means, also from a psychological point of view and to think about the relationship between psychology and politics and to think about how words are used in this kind of a way. I have just tried to keep going, basically, and not to focus too much on the defendant and to sort of block him out of my mind as much as possible, but I don't think that other people have been doing that. I don't know how I can be more precise on this point.
Q. Could you turn to, in volume 7 --
A. Yes.
Q. -- tab 295 and it is page 5049. You

mentioned Adam Lermer --
A. Lehrer.
Q. -- in your evidence?
A. Uh-huh.
Q. Did he say anything similar to you?
A. He simply shared an article that I had written on his Twitter account and he was immediately contacted by the editor of the Quieters and the editor of the Quieters told him that he could not have association with anybody who was sharing the work of DC Miller, who is a potentially dangerous, violent fascist and there also, had no right to reply, he was just immediately cancelled for sharing an article that I had written. I don't believe he even made a comment on the article, he simply shared it because he found it interesting and that was enough.
Q. Thank you. Volume 5. It is tab 165 and there are some other references, sorry, this aspect is just a little bit tricky, unwieldy to navigate, but --
A. Yes.
Q. This is in relation to the Charles Manson memes and the other reference. I'm sorry, to

do this but it is perhaps helpful, bundle 2 at the same time, tab 40 is the first tab, so it is page 912.
A. Yes.
Q. There is also another, we can see the full picture, bundle 3, tab 51, this is rather difficult to get the context. Page 1835. You were asked a question about this and I think I jumped up and down. So --
A. 1835?
Q. Yes, so I am, I apologise to the Court and to you, Mr Miller, for having three bundles open at the same time.
A. Uh-huh.
Q. This is, perhaps illustrates the over complication. Which is the full Charles Manson meme?
A. It is on page 1835.
Q. 1835.
A. Yes.
Q. And page 912?
A. Uh-huh. He is --
Q. Where is that from?
A. That's from the defendant's archive.
Q. What is missing?

A. The Nike tick is missing and also the date stamp is missing.
Q. The Nike tick being missing, the date stamp being missing, what's the difficulty with that lack of context, Mr Miller?
A. It means that the time that this was actually re-tweeted by me is effaced from the presentation of this information in the archives and so the defendant seems to have positioned it in order to strengthen his claim that I had made death threats against him, but in reality this image was re-tweeted by me basically a month after our heated exchange.
Q. Please go to the first volume I asked you to unleash, volume 5, 4358?
A. Yes.
Q. This is from EvolutionistX and in the middle of 4358, what is it, it says, "Nike is giving terrible advice. Anyone who encourages you to sacrifice everything is probably a charlatan and actually wants you to sacrifice everything for them."
A. Right.
Q. It was suggested to you that EvolutionistX, as I understand it, is someone

who advocates mass murder, is that how you understood it?
A. Absolutely not.
Q. Sorry, first of all, this is the question, did you understand that that was the suggestion being put to you about --
A. Oh I did understand that suggestion, yes.
Q. This, as I understand it, this is EvolutionistX saying what?
A. Saying precisely the opposite of that, saying that Nike's slogan is terrible advice, you shouldn't sacrifice anything. Actually she says more, I forgot this part, she says, "Believe in something sensible, true and not likely to result in mass death."
Q. The suggestion, Mr Miller, is that you are posting a sinister meme and that was the import that should be, that was the import from it, is that what you meant, first of all?
A. No, I was posting this image because I agreed with the critique of the Nike advertising campaign.
Q. Why is the Nike swoosh and the date and time cropped off?
A. I think because the intention is to change

the meaning of the image in order to remove its satirical element and make it appear more as if it is indeed a sinister meme advocating violence.
Q. Invertebrate homunculus?
A. Yes.
Q. Had you called the defendant spineless before?
A. I think I may have done.
Q. Thank you. The last aspect, Mr Miller. A number of allegations have been made by Mr Turner and some you are suing on, some you aren't?
A. Mm-hmm.
Q. Why do you say, for instance, anti-Semitism or death threats are more problematic than a general allegation of fascism?
A. Anti-Semitism is much more specific, first of all. Second of all, I am a Jewish man, to be accused of anti-Semitism is very upsetting for me. Death threats is also, it means more than made claims of fascism, the meaning of fascism has been somewhat watered down in recent years because it has

been applied so freely to so many different people. Death threats suggest that I actually have committed a course of, to some extent criminal action with respect to the defendant, which I never did. It is a factual allegation and it is false.
Q. Now, I think this is the last, I think this is the last page I am going to take you to. Yes. Volume 1, tab 3?
A. Yes.
Q. Do you have tab 3?
A. Yes.
Q. It is page 37. Can you look at the top?
A. Uh-huh.
Q. This is a content warning?
A. Uh-huh.
Q. It says, it is entitled, "Daniel DC Miller?"
A. Uh-huh.
Q. It gives various handles, "CW", do you understand that to mean content warning?
A. I do, yes.
Q. "Violent threats, harassment, racism, anti-Semitism, homophobia, transphobia, ableism and misogyny"?
A. Uh-huh.

Q. What is it that concerns you about that description of you?
A. This is almost the total antithesis of everything that I believe. This contradicts my values in a very fundamental way. It is very upsetting.
Q. Thank you.
MRS JUSTICE COLLINS RICE: I have a couple of things I'd be grateful to ask questions about, simply to clarify some things that I had noted down that you said. Please don't read anything at all into my questions, they may turn out to be entirely irrelevant but any assistance you can give me, I would appreciate. So, the first question I have is whether you can tell me anything more about your practice of deleting material that you put on social media, that must be quite an effortful practice and I am interested to understand how it works in real time?
A. It is not an effortful practice, I mean this was when I had a Twitter account.
MRS JUSTICE COLLINS RICE: Yes?
A. You issue a tweet and then you can just delete it a few days later. So, this was what I

did. I aim to keep my number of tweets basically quite low, like I thought that most of what I said on Twitter probably wasn't worth preserving, I had no particular desire to preserve past records of interactions that I had. I wasn't really using Twitter as a broadcast platform, I was more using it just to explore things and to investigate them, so I just deleted my tweets regularly because I just saw no reason to keep them. This is a relatively common practice on Twitter, this is how some people use Twitter and some people don't and it is how I used it.
MRS JUSTICE COLLINS RICE: Thank you. Then just at the very, at the very most general level, just to help me really get my bearings with your evidence which, as I say, I have been listening to very intently. You describe yourself as an intellectual and an artist?
A. That's correct.
MRS JUSTICE COLLINS RICE: You have explored a little bit in the last passage of questioning what your intellectual interests are. The impression I have obtained and I

would be interested in your correcting that if you think it is in any way misleading or incomplete, is that your intellectual interests are what might be called multidisciplinary. So I have heard you, for example, say that you are interested in psychology, in religion, politics, art of course, and I have heard, the impression I have received is that you are particularly interested in ideas, exploring ideas, testing ideas which might be described as, well I will use a word I heard you use, "extremist", discussing extremist ideas is a passage you discussed, taboos, transgressive aesthetics. In particular, issues which as we have experienced today and as this place is all about, which are difficult and emotive, the complexity, as you put it, of anti-Semitism, the phenomenon of Holocaust denial, cancel culture. So, have I got the centre of gravity about right?

A. I would say not exactly. I think what happened in 2017, let's say, sort of set me off on a certain kind of trajectory because at this time it seemed that whole new areas of thought were being closed off and were being

declared extremist and it was confusing as to why that was happening and I wanted to understand why that was happening. So at this moment I felt compelled to begin to think more about politics because politics had actually come to the art world in a very serious way, it was now being said that political criteria were going to be imposed on LD-50 to begin with but there were other examples as well, determining what they were allowed to discuss or not. As I said, we never really heard about the alt-right before 2016, suddenly it was everywhere and it was also bad and we also couldn't discuss it. This was a concerning phenomenon in a certain way, it was very confusing, I wanted to understand what that meant. I would say that actually my own interests are more in philosophy, in phenomenology, which is to do with the structure of mind and in psychology, how these elements fit together. This is what I would prefer to be studying. I am also very interested in the history of religion, particularly Judaism, also Islam to some degree, Islamic mysticism, if it forms a

mysticism, and I am also interested in surrealism. I wouldn't say that I am interested in extremism as such, or in taboos as such, I actually basically don't like it, I don't find, there is a sort of a genre of art which is deliberately transgressive and seeks to be transgressive and this is not really the art that I enjoy, or that -- I'm sorry, I have another cramp in my leg.

MRS JUSTICE COLLINS RICE: Do you need to stand up?

A. I will. Yes. The art that I myself, make, or have made, I guess the area of activity which is most artistic for me is I have a project called the University of Newry, this is a fictional university that was actually first established by Gershom Scholem and he was the Jewish historian of Kabbalah and Walter Benjamin, he was a Marxist materialist mystic as a kind of student joke when I was inter-railing I revived the project and its main agenda is performing immersive lectures in which a figure returns from the past and they give a lecture as themselves or as what they might say were they present in a certain kind

of context. So we had, Hannah Arendt was the first person, then we had Muhammad Asad who was in fact a Jewish man, born Leopold Weiss, who subsequently converted to Islam and he became a diplomat and he wrote a translation of the Koran. Then Fernando Pessoa, who is a Portuguese poet of heteronyms, speaking Turkish in Istanbul. Then André Breton which was played by myself and which I gave lectures about surrealism in Haiti and I attempted to somehow formulate an idea of surrealism. Then, finally, Julius Evola, after my talk on him was closed down at his Israeli bookshop in Berlin. So, the main point of this project was also to explore my own relationship to Judaism actually, I would say. Just to sum up and recapitulate, if I may, I would far prefer to be dealing with more peaceful and less political subjects. I think we are living in a time of political radicalisation and a lot of confusion around current kinds of political questions. It seemed to me in 2017 I did have a somehow responsibility to engage in these questions and attempt to actually

defend a liberal position, which was what I was defending and I am still defending. I believe it is absolutely necessary to do that. This has been quite difficult but I think it was the right thing to do.

Q. Thank you. My last probe, if you like, is, I noticed that you described your friend, Miss Havas, as, "The world's greatest Twitter artist" - help me with this concept of Twitter art. You also said that you absented yourself from Twitter for a while because you considered it was a medium bad for discussing ideas. So, what I want to understand is really how your interest in ideas, your practice of art and your use of social media come together. And it is a rather complex question but it is around whether I have got the paradigm right in terms of the material that we have been looking at - if I put the question extremely crudely, you will understand what I am getting at. In the material that you posted, are we exploring ideas/are you campaigning in favour of freedom of expression/are you performing art?

A. I think that's a very interesting question. I think the status of social media as a medium is very hard to determine in a way. I mean, there are many claims that are made with respect to its simplicity, and I think also in many of the articles that I've written in the last several years, I have tried to explore specifically this question of how the internet is changing communication patterns, changing social patterns around communication. You could put it like this: I mean, we live in an era in which actually every human nervous system on the planet basically is connected, is interconnected. And so, as a result you have messages flying through space at the speed of light which is having an extremely profound effect, I think, on society, a very, I think, in general, deleterious effect on the ability of people to critically reflect upon the ideas that are being presented to them. I think it's a very serious problem which hasn't been fully grasped in a way because now we take all of this stuff for granted in a sense and it's somehow second nature. We're surrounded by all of this

electronic media and it's like a fish that has forgotten that it's swimming in water. So, the statement that I made with respect to Deanna Havas was made also in an attempt to defend her from what I saw as reductively a politicized and in fact inaccurate presentation of her Tweets by the defendant. The defendant took screenshots of her Tweets and he put them on a page and he said, "This proves that Deanna Havas is a Nazi" and so forth. Of course, in truth, Deanna Havas' Tweets occurred in specific contexts, they were responses to other people. He changed the medium and therefore changed the meaning of her Tweets. Her Tweets are in general ironic, she is quite funny. She has actually then recognised - before her career was destroyed, her Tweets featured in a book that was produced, that was somehow celebrating how artists were using social media as an artistic medium. In terms of my own relationship to social media, again, I sort of somehow wish to use it primarily as, I think, a research tool. Research is also a dimension of

contemporary art to some extent. Contemporary art is not any more about just worshiping objects; it's an attempt to investigate reality in some way, in some form. But, yes, I would say that actually in general I really dislike social media. I have had, of course, my experience with respect to it, which has been very bad. I know I don't dare to search my own name on the internet because I assume that it will turn up some unbelievably deranged polemical abuse. I think that social media is being used as an artistic medium by some people. I think the article that I wrote about Bronze Age Pervert is an example of that. Personally, I really want nothing to do with it. I would rather write in a pencil in a notebook, that's what I would prefer to do.

Q. Thank you. Does anything further arise out of any of that?

MR WALKER: No, thank you, my Lady.

MRS JUSTICE COLLINS RICE: Well, I am most grateful to you. You have answered a very large number of questions and given us an extraordinary amount of evidence. Is

there anything that you want to go over and clarify in relation to anything that you have said? I ask that merely as a matter of routine because I have noticed that you have attended with some meticulousness to the precise terms of the questions that you have been asked and have answered accordingly, but I give you the opportunity, nonetheless.
A. There's nothing immediately that I can think of, although I don't know if my mind is at its most alert at this point, so I will decline.
Q. I am most grateful to you. That session is over and you are free to go now.
A. Thank you very much.
(The witness withdrew)
MRS JUSTICE COLLINS RICE: While the witness is making himself comfortable, how do we see - we are a little bit behind timetable, Ms Evans, but you did think that we might be able to get back on track?
MS EVANS: I think so. So, today is Wednesday, so the plan is that Mr Turner will start to give evidence at 2 o'clock tomorrow, that is the timetable.
MRS JUSTICE COLLINS RICE: At 2

o'clock, yes.
MS EVANS: I would have thought that that would still be possible.
MRS JUSTICE COLLINS RICE: We can hold to that?
MS EVANS: I hope so, yes.
MRS JUSTICE COLLINS RICE: Excellent. Thank you. Yes.
MR WALKER: Then Nina Power, please. Just out of courtesy to the transcriber, I am assuming ...
MRS JUSTICE COLLINS RICE: Thank you very much for reminding me. Yes, indeed, 5 minutes.
(15.08)
(A short adjournment)
(15.15)
MISS NINA POWER, sworn
Examined by MR WALKER
Q. Can you give the court your full name, please?
A. My name is Nina Gabrielle Power.
Q. Is it Miss or Ms?
A. Either, but Miss.
Q. Miss Power, can you go to - to start off,

and you are going to be going through these bundles a lot - bundle number 1?
MRS JUSTICE COLLINS RICE: Please do sit or stand, just as you are most comfortable.
A. Okay, thank you, my Lady.
MR WALKER: And it is tab 30, first of all, and is that your witness statement?
A. Yes, it is.
Q. And if you go to the last page, in tab 30, is that your signature?
A. Yes, it is.
Q. Can I ask you to stay in that bundle and can I ask you to go behind tab 14, page 290? Do you have it?
A. Yes.
Q. Item 6, which is a reply by an unknown third party, DC Groyper, yes?
A. Yes.
Q. If you go to the previous tab, 13, the last page, 287, and it is a document signed by you?
A. Yes.
Q. Is that statement on page 290, is that correct?
A. No, it's not.

Q. And you have signed a statement of truth there. Why did you sign a statement of truth?
A. I think because I read this too quickly and I didn't notice that this was not accurate, so it's a mistake on my part, which I'm sorry for.
Q. Is it a mistake or is it a lie?
A. No, it's a mistake.
Q. Thank you. I am sure there are questions.
Cross-examined by MS EVANS
Q. Miss Power, I think you might as well leave bundle 1 open because that is where we will go first in a moment. Can I just ask you some questions first about your orsedd6 Twitter account? You can help us with the dates a bit more than we have had before, I think you. You opened this account in July 2018, did you not?
A. Yes.
Q. Do you remember when exactly?
A. I don't, I'm afraid, but it was before all of this, because I was researching my book and I set it up as a research account.
Q. And I think you say in your evidence that

it was on the 12th of July that you met Mr Miller again after 11 years?
A. Um hum.
Q. Was it after that date that you set up your Gorsedd account?
A. I don't remember. It was around the same time, though, for sure.
Q. And do you accept that the Gorsedd account was ostensibly anonymous as it presented to the world?
A. I mean, it wasn't intended to be anonymous in any weird way. It was just a kind of - a Gorsedd is like a Welsh bardic choir. It was just a sort of random name, just because I wanted an anonymous-ish or pseudonymous thing that wasn't tied to me because I wanted to follow various accounts in the Manosphere and I didn't want to be identified. Actually, I didn't want to be identified as a woman or a man, to be honest.
Q. So, you accept that if someone did not already know that you were behind that account, they would not know from a Tweet that came from it, without any other outside information, that it was from you?

A. No, they wouldn't.
Q. Thank you. So, you have got bundle 1, I think, open. Can we go to tab 5A?
A. Is this a separate thing?
Q. It should be the same bundle that you had open that has your statement in it.
A. I can't see the 5A.
Q. 5A.
A. It is separate? Sorry, it's not in the ...
Q. Sorry, it has not been put in there. Yes, it should say, "Particulars of claim" on the front and starts with the number 80A at the bottom right.
A. Sure, yes, it's separate. I've put it in.
Q. I think you know the point that I am going to ask you about. If you can find on that loose copy page 80M, paragraph 14.2.1 - have you got that?
A. Um hum.
Q. And you see what it says there, and you heard no doubt discussion in court yesterday about this with Mr Miller. So, it says that the defendant, having posted the first claimant's old Twitter posts amongst very clear anti-Semitic posts published by 'ParallaxOptics',

a Twitter account which is known for espousing and disseminating abhorrent anti-Semitic views ..." - as you know, that paragraph became deleted in the next version of this document. Do you remember that? It was struck through because of the harassment claim?
A. Right, yes.
Q. Do you agree with that description still that you signed off on there about ParallaxOptics espousing and disseminating abhorrent anti-Semitic views?
A. Well, to be honest, I hadn't seen any of those specific Tweets until this case because I don't look at everybody's, their whole Tweets, you know what I mean? Like, you have to click on their whole thing and then read their whole Tweets. So, I didn't know actually that he'd, until this case, that he'd written anything like that.
Q. But, presumably, because you signed that statement and signed the statement of truth on that, once you had seen them, you did agree with that, did you?
A. Yes, I mean, I think some of those

Tweets are horrific. I mean, yes, they seem clearly anti-Semitic.
Q. So, I do not need to take you through - I do not want to take up time if we do not need to, because we have covered quite a lot of those with Mr Miller. Do you remember the ones that I showed him?
A. Yes.
Q. From ParallaxOptics about various aspects of anti-Semitic tropes and so forth - so, you are happy to accept that they would be, you would treat those as abhorrently anti-Semitic?
A. Yes.
Q. I want to ask you about your own interactions with that account, with ParallaxOptics. They seem to have begun on about the 18th of July, to be precise, 18th July 2018 and I will show you why I say that. If you go to bundle 2 and take up tab 42 - do you have that?
A. Yes.
Q. You will see at the top it says, "18th to the 25th of July 2018, Twitter conversation with Jack Stokoe and Tom X Hart" and you

will see that Gorsedd is dotted about in that conversation.
A. Yes.
MRS JUSTICE COLLINS RICE: I am sorry, I have not the right page.
MS EVANS: I am sorry, my Lady. It is 1226 in tab 42.
MRS JUSTICE COLLINS RICE: 1226, thank you. Yes.
MS EVANS: So, we have got the date on this page as being the 18th of July - you see that - in terms of your communicating with ParallaxOptics. So, that is within a week of you, let's call it, re-meeting Mr Miller, correct?
A. Yes, I guess so.
Q. Did Mr Miller also introduce you to Mr Stokoe in the period after you met him in July?
A. I don't think at this time but later on he did, as research for my book, because Mr Stokoe expressed some views, and this is why I'm engaging on these questions of sexual difference and the difference between men and women, because that's what my

book is about. Basically, Jack had some views which were not widely expressed and yet they were quite unusual and I wanted to cover them in my book, basically, and they were to do with how he conceived of the relationship between men and women. And, you know, in actuality, when I spoke to Mr Stokoe about his views, as research, I found his views reductive and dispiriting, but it was important for my research because I actually wanted to cover what was a sort of contemporary phenomena, especially online, among so-called dissident Right views, which is basically like often involving evolutionary psychology and various sort of quasi-scientific ideas about mating strategies and how men and women interact, and I do write about that in my book.
Q. You used the phrase, "Reductive views", which has come up quite a lot.
A. Yes.
Q. Do you want to give your definition of that?
A. Yes, I suppose a reductive view, I mean, in this case, would be to say that really let's

say men and women are motivated by a very base feeling or an instinct. You know, it's quite a sort of scientistic idea that, for example, we, that men and women are somehow, yes, reducible to these kind of animalistic impulses or instincts and that you can have this perspective on the world that then allows you to make generalizations, which was a lot of what was going on, basically; saying, "Oh, women are like this ..." I mean, I remember at one point Mr Stokoe said that women are like hamsters, like these little creatures, and I just thought this is absolutely ridiculous. But I wanted to sort of try and understand where he and this sort of perspective were coming from so that I could write about it.
Q. Thank you. You would have followed the evidence yesterday when I was asking questions of Mr Miller and he accepted, I think, that from the WhatsApp messages which you have disclosed between you for this period, it was evident that you were socializing with Mr Stokoe, certainly on at least two occasions - there was an evening on

the 28th of July and a Sunday roast later in the summer, I think, or in the autumn?
A. I don't remember that, to be honest.
Q. Do you remember going out socially with him?
A. Well, I met Jack in a group. I have only ever met Jack like two times, I think, or maybe three, but always in company. The first time I asked him about his views about women, there was like a group of people, but I've never spoken to Jack or Mr Stokoe on his own. I met him at another lecture, I think, he was also in attendance, but I hadn't invited him. And we never discussed Jewishness. I mean, if he had said anything anti-Semitic, I would have opposed him immediately, but that was never anything he ever said to me personally.
Q. Could you take up bundle 5 please, tab 131, 3694?
A. Yes.
Q. At the bottom of that page, and let's just get this straight first: so, the mobile phone number there is yours, is it not, or it was? And the, "d:" is Mr Miller?

A. Yes.
Q. In this dialogue, all the way through. Right at the bottom, and this is 29th of July, at 13.13, after you have been talking about the night out with Mr Stokoe and Natalie, you say to Mr Miller, "You are both lucky and deserve to be around such good and interesting souls." Can you remember what you meant by that? You may not remember.
A. Yeah, I think, I mean, in person, and maybe especially, maybe it's his wife, Natalie, or certainly, you know, girlfriend, they were very kind, and I'm very well disposed towards Daniel, and I thought it was great that he should have some friends, you know, and they had been perfectly interesting and pleasant. I don't think we discussed, "The woman question", as Mr Stokoe would describe it, on this occasion. I think it was just like a social thing. I don't really remember the meeting in detail.
Q. Can you take up bundle 1 again, tab 13 this time, please, page 284 - have you got that?
A. Yes.

Q. This is your joint answer to some requests for further information by Mr Turner's side, and we can see it is dated 31st August 2022. In 6.3 at the bottom of that page you are answering some questions about the interactions between yourselves and Mr Stokoe and the ParallaxOptics account, and what it says there is, "In addition to their [that is you and Mr Miller] interactions, the first claimant met Mr Stokoe on approximately four occasions between February '17 and September '18, at which he expressed his disapprobation for his account. The first claimant concluded that Mr Stokoe's purpose online ..." - in other words, presumably, in September 2018 - " ... was transgressing taboos, and that therefore further discussion was pointless." You see that?
A. Yes.
Q. That response did not give your position because it was not asking for it at that point, but was it the case that you also gave up on Mr Stokoe after September of 2018?
A. I mean, I don't think it was that dramatic.

I just didn't see him again. I mean, we weren't friends. You know, I'd just met him a couple of times in a social situation and asked him his opinion about women on one occasion and found it depressing, so it wasn't like an official break or anything.
Q. And what about your interactions with his Twitter account, ParallaxOptics, after September 2018?
A. Well, I don't remember in detail, but are those the ones that you were pointing out a minute ago?
Q. Those are earlier, those were from July.
A. Oh, okay. I don't remember specifically, but I was engaging with various accounts that I was following who were part of the Manosphere, so basically people were making claims about masculinity, about what it means to be a man. Yes, often in ways that I disagreed with and I criticise in my book, actually - because I wanted to find out what their position was.
Q. I will tell you what I think the answer is to the amount of interaction and I will be corrected - I think between 18th July 2018

and April 2020 the retrieved ones, because you have not disclosed any, and I will come on to that, amount to 60 messages from ParallaxOptics to you, 77 replies or engagements, including Likes by you, of Tweets coming from that account and of those 77, 21 were after the start of October 2018. I am not saying those are anti-Semitic in content ...
A. Good.
Q. ... I am just trying to establish whether you had much interaction after that period. Do you accept that sounds like a significant amount of contact?
A. Yes, it's possible. I mean, Twitter's a really fast moving medium. You know, if you're having a conversation with somebody, it can run up to like a lot of interactions. You know, it's like a kind of ongoing conversation you're having on a particular point or disagreement, something like that.
Q. I think you will have seen yesterday, because you were in court, I think, that one of the questions that, one of the series of questions that I had for Mr Miller was in

relation to that Cults-ii dialogue that was published on the ParallaxOptics website - do you remember? Do you want to have a look at that or do you remember it well enough?
A. Yes.
Q. The red text/black text.
A. Sure, yes.
Q. Mr Miller admitted that he was an author of that, it not having been admitted in the correspondence, which was a bit confusing, but were you also an author?
A. Yes, so we were having - it was like on a Riseup pad, which is a kind of online shared document. I didn't have any contact with Mr Stokoe directly but we were sort of writing our thoughts about cults and I wrote a couple of paragraphs. I didn't know what had happened to this material, to be honest. It was just a kind of discussion we had at a certain point. I thought that parts of the Left had become cult-like in some ways and I wanted to express that, but I didn't have any direct contact with Mr Stokoe about this text.
Q. So, we were able to work out that the most recent Tweets between you, with

ParallaxOptics, was, as I said, in April 2020. That was after the particulars of claim that you signed that said that the account was an abhorrently anti-Semitic one. Do you understand?
A. Um hum.
Q. So, you must have been aware when you were still interacting with the account in April 2020 and possibly later - we do not have further ones - that you thought it was an abhorrently anti-Semitic account?
A. I don't remember what my interactions with the account were in April 2020, to be honest. You know, I mean, I obviously don't defend writing anti-Semitic claims and I'm not responsible for this person's thoughts or writing. How could I be? I do think probably a good way to get people away from having terrible ideas about Jewish people or about women is to engage them in discussion, however, and I have done this repeatedly in the last few years. So, I don't believe in ostracizing people or shunning them. I think that actually leads to forms of extremism and isolation and forms of like - I

don't know how to put it - social deprivation that cause people to become more extremist. So, I will talk to people I disagree with strongly, absolutely, and I have stated this many times.
Q. I want to ask you now about the Tweets from your Gorsedd account because they were all deleted by you, were they not?
A. Yes.
Q. So, I think we have the dates that you deleted them are 9th and 10th of September 2020. I will show you how we know that in a moment. If I said September, I meant December. If you go to bundle 2, and I do not know if you have still got that open, tab 42, and you need to find page 1480 - do you have that?
A. Yes.
Q. I am just going to show you, so you know where I got that figure from, how we can see that you deleted your Tweets on these dates. So, if you look at 1480, you will see this is a screenshot of your Gorsedd account at the time and it says it has, on the left there, you will see, it says, "Tweets, 1029" - can you

see that?
A. Yes.
Q. And if you go to the next page, 1481 - on that first page, top right, you see the date, 4th of December 2020 - you see that?
A. Yes.
Q. Go to 1481, the date on the top right is the 9th of December, and by then, you see under Tweets, there are 899 left and some have been deleted, and if you turn over again to 1482, by the 10th of December there are only 31 Tweets left. Do you accept that over the course of the 9th and the 10th of December you deleted nearly all the Tweets?
A. Yes, you can get like a program which is sort of like munches your Tweets, so it kind of gets rid of them for you, and I'd set it to run because I'd finished my project.
Q. The particulars of claim which I took you to 10 minutes ago, which had the later struck through paragraph, 14.2.1, about ParallaxOptics being abhorrently anti-Semitic - you served your amended version of that with it struck through the day before you started deleting the Tweets on the 8th of

December. Do you understand that?
A. I mean, yes, but it's not related. I mean, I had submitted my manuscript to Penguin at this point and I didn't want any more interactions basically with anyone on my Twitter account. I knew that the Tweets had already been saved, as it were, in the case because Mr Turner had screenshot them all, and it turned out that he actually had an entire archive of my Twitter account anyway, so my deleting it matters not.
Q. Well, it does matter because you are not supposed to delete ...
A. Well, I didn't realise that. I deleted it because I had finished my research project.
Q. To be clear, what I suggest is that you did delete things because you regarded them as potentially harmful to your ...
A. No, not at all. There's nothing in my Tweets that I think are harmful at all, as shown by the fact that he's got an archive of them and there's nothing in there, other than the Tweets that I deleted immediately because I didn't want to interact with Mr Turner any more, which didn't exist at this

point, because I deleted them the day or two after we'd interacted because I wanted nothing more to do with it because I could see it was a fool's errand.
Q. And just to be clear on the chronology, the standard disclosure in this case at which point Mr Turner disclosed all his material, including your relevant WhatsApps, was as recent as last January, the 20th of January 2023. I am just telling you that so that you -I am not suggesting that it had not already happened. I want to now turn to what Mr Turner's case characterises as the harassment campaign which involved you from July 2018. Before we go to some of the documents, can you just help me with this: in July 2018 and before then, you have said in your witness statement, and I think Mr Miller has as well, that you were not - put it this way - not in a good place emotionally, is that right?
A. Yes, that's correct.
Q. And that Mr Miller had, once you regrouped, as it were, helped you and you became close.

A. Very much so.
Q. Before I go into the Tweets that I want to ask you about, I am going to make clear, like I did to Mr Miller, that we do not see any evidence in your witness statement that gives any explanation for individual Tweets, other than three of them, Tweets that you sent to Mr Miller - sorry, to Mr Turner.
A. I did describe them.
Q. There are only three that are dealt with in detail. So, when I ask you questions, it is going to be off the back of what has been pleaded and the documents themselves, making clear that you have not given a case in relation to most of them. I am going to break, to try to do this in the quickest way possible, and so that people do not get too sleepy in the afternoon, I am going to break this into themes. So, I am going to take you through some of the Tweets which I suggest reveal a subject matter theme or the Tweets that you were sending to Mr Turner, and I will do that in a moment, but I just want to make clear that it looks from the Tweets which have been disclosed from our side and

which are available, that you had relatively limited involvement in July in relation to interactions with Mr Turner. Is that your recollection?
A. I think so, yes.
Q. You were personally engaging on Twitter with Miss Havas at about that time and an example is in bundle 2, at tab 42, page 1234. Do you have that?
A. Yes.
Q. This is the one which we looked at yesterday where Deanna Havas says, "I'm issuing a Fatwa against all socialists from Goldsmiths or Central Saint Martins in their early 20s." And we suggest that the reference to Central Saint Martins is the reference to the defendant ...
A. Not at all.
Q. ... who - well, Miss Havas is the author of that Tweet.
A. Um hum.
Q. So, I am suggesting that is who she meant. I am going to ask you a question about your reply which is below. You say, "That will confuse them. Should also

include anyone up to 35 ..." Who was the "them" in your Tweet there?
A. Sort of nobody. I mean, she's jokingly issuing a Fatwa. She's not an Imam. I mean, it's clearly a joke about the kind of take-over, basically, of these institutions by a particular political way of thinking and being, which was really inhibiting. You know, this is part of what was going on at this time and is still going on, which is basically like people saying, "No, you can't speak about this/you can't debate this/this person shouldn't be allowed to talk." So, she's making a joke about that, you know, and like a lot of this was coming from the art departments in Goldsmiths and Central Saint Martins at this time.
Q. Do you accept that, in the light of the date of this Tweet, which is 1st of August, that it was aimed at least in part at Mr Turner?
A. I don't see how it is at all. It's not directed at him. She says, "All socialists from Goldsmiths, all Central Saint Martins in their early 20s" and I say, "That will confuse them. Should also include anyone up to 35

because I think it is not just young people. I think actually a lot of people are getting involved in this sort of cancel culture and most of the lecturers, which is obviously people over 35 as well, so it is a kind of continuation of the joke. It might not be that funny, but -
Q. Are you sure you did not mean to refer to the defendant, Mr Turner, by reference to anyone up to 35 because he was just over 35 at that point?
A. How could I possibly have known that?
Q. Well, you had met him before so you may have had an idea.
A. I really didn't have an idea. I don't know how old he is, actually.
Q. We can go to it if you need to, but you might remember from yesterday that when the bitter engagement between Mr Miller directed at Mr Turner began on 27 and 28 July, you were the one that put Mr Miller off, do you remember, on the 27th and you said to him words to the effect that Luke Turner tweeting stupidly about LD50?
A. Yes. I mean, I don't know how I came

across it. Sometimes people retweet tweets or - I don't think I was following Mr Turner. I knew that Daniel had been involved in LD50. I myself was not involved in LD50 at all but I knew that it was something that Daniel cared very much about and I saw that this person had been tweeting about it and I just said, "Look, this person is saying something about it", but I don't remember how I came across it.
Q. You knew that who you call this person - you knew that Luke Turner was Luke Turner because you had met him before.
A. Yes, I met him once many years ago in an event in the Stedelijk Gallery, I think, in Amsterdam. I was speaking at a conference or an event and an event that he was also speaking at or involved in somehow.
Q. And remember also from yesterday that when we looked at the WhatsApps that on the 27th you said to Mr Miller that you were loving the exchange that he was having with Mr Turner that day where he, Mr Miller, on our case, was bombarding Mr Turner with abusive messages.

A. I disagree that Daniel was bombarding Mr Turner and I disagree that messages were abusive. I think at this point it seemed like a possible dialogue, you know. It hadn't turned into this campaign of attacking us for being antisemitic, this campaign against Deanna, you know. At that point probably on the first day of encounter it looked like maybe we could get somewhere in understanding what LD50 was about, you know, so saying I loved this exchange or something like that is like saying, "Well, it's interesting", you know.
Q. I want to go forward now because so far as we have disclosed material which, as I say, has come from this side, we do not have any for the period between the one I have just shown you, 4 September, more or less, so could you stay in that bundle at 42 and go to 1255, please? It says 4 September at the top. It is a Gorsedd tweet, "Lukewarm Turner is mindbendingly pathetic". That one.
A. Yes.
Q. We have seen this one already. Do you agree that when you tweeted this you were

directing it for Mr Turner's attention, maybe among other people?
A. No, I didn't tag him in it. If I wanted to sort of notify him or create a notification I would have tagged his Twitter handle into it.
Q. Do you think it is better to write something abusive about somebody and not send it to them but just send it to third parties or -
A. It is not sent to anybody. It's a tweet that I have written on a very small account that had, like, 100 followers that I was using as a research account. It is not directed to anyone.
Q. Well, it had recipients.
A. No, only if people, like, choose to look at the tweet. It is batted at anyone.
Q. Well, can you turn over the page. I am sorry, it is actually slightly further on, 1086. Go on 31 November.
A. So, is it backwards, yes?
Q. I do not see why it would be. My number says tab 42, 1086. It is tab 41, I am sorry. It is 1267. Now, I said I was categorising these. The category that I have put the ones that I

am showing you in is tweets where you are accusing Mr Turner of lying, in fact.
A. Yes.
Q. So, we have just looked at one - as well as mostly being full of what I would suggest is rather abusive, offensive language -
A. Disagree.
Q. - this one at 1267, you have tagged because you are replying to Mr Turner in this one.
A. Yes.
Q. So, it is targeted at him, yes?
A. No, it is like a reply all. You can see that there are other people in the thread. It is like several people on a thread.
Q. Including Mr Turner?
A. Yes.
Q. And you say, "As well as being a thin-skinned paranoid guilt riddled police officer, you are also a pathological liar."
A. Yes.
Q. "You ... got your friends at Twitter to ban DC, how has he spread anything?"
A. And there were no death threats, "Get help." That's the tweet.

Q. And if you go back to tab 40 at 942, this is the source of you responding by saying, "How has he spread anything?" Sorry, you have to jump around a bit. So, it is tab 40, 942. It is one of the tweets complained of so it might just be easiest to look at it in bundle 1, tab 1, page 1. So, it is tweet number 2 on 20 November. Do you have that?
A. Yes.
Q. From Mr Turner. He says, "Very kind of you to spread this dog-whistle lie that was started by DC Miller." Okay?
A. Mm-hmm.
Q. And so your one that we have just been looking at in tab 42, was responding to that which is why you say, "How has he spread anything?" Do you see that?
A. Sorry, remind me of the tab in the second bundle.
MRS JUSTICE COLLINS RICE: It is 42. It is at page 1267.
A. Yes.
MS EVANS: Your one of 21 November.
A. Yes.
Q. And what I am trying to explain to you is

that where you say, "How has he spread anything?" that was your response to Mr Turner's tweet that has referred to the dog-whistle started by DC Miller, do you see?
A. Yes, which is incorrect.
Q. Well, the dog-whistle was about the inherited wealth of Mr Turner.
A. Yes, which was not mentioned by Daniel Miller but rather by Daniel Keller.
Q. I see. Well, we will come back to that but this one that you sent here on 21 November, would you agree, if you try to be objective about it, that it is a rather nasty and offensively worded tweet that you knew Mr Turner would get?
A. I am accusing him of being a pathological liar, yes, and thin skinned and paranoid, guilt riddled and a police officer. I am very upset at this point because not only has he attacked Deanna, which I think was completely unfair and unwarranted and started a campaign of trying to get her to lose work and lose, like, a lecture she was giving and various things, and accused me of antisemitism, he has also got Daniel, my friend, my dear friend,

banned for no reason and gone after him and accused him of antisemitism and accused him of death threats, which I knew was false, so this is why I say that he is a pathological liar because he keeps lying about all of these people he's interacting with and accusing them of, you know, being antisemites, fascists, nazis, sending death threats. You know, he's crazy. It's like - yeah, I'm very angry with him, you know. I agree it's not particularly nice, you know, and I think, you know, I'm upset. I'm saying, "get help", actually and I'm also kind of compassionate in a strange way. I think he's suffering from paranoia at this point.

Q. Do you remember the open letter that he posted in early September in relation to the Athens Biennale?

A. Yes, he's posted several open letters. I do remember that one, yes.

Q. Do you say that that is just lies in that letter?

A. I think what he does is something called poltering, which is taking a very small thing that's true and then creating a lie out of it. I

think he did misrepresent a lie also in that open letter. I think - I've looked at the Athens Biennale correspondence. They bent over backwards to accommodate his complaints and they found that none of them were true. I think he had a personal beef with Daniel Keller and he decided to destroy him as he also tried to destroy and very successfully also tried to destroy Daniel Miller and destroy me and many other people and I think that the Athens Biennale open letter is disingenuous and I think it is lying as well.

Q. Did you think it was lying when he describes in that letter the history of the alt-rights and the other antisemitic attacks since the "He will not divide U" installation went up?

A. I did not follow Mr Turner's career. Obviously, I had no access to his experiences.

Q. I am asking about your reading of the letter. When you read his open letter - we can go through it, if you like, but it set out as most of his open letters do - they begin with

a history of what had happened to him and the history of the installation and the attacks. Do you say that that was a lie?

A. I am not in a position to say anything about, you know, Mr Turner's experience. If he says that the thing was attacked, the art project was attacked, then, you know, I believe him but I don't believe him when he is saying that Daniel Keller and Deanna Havas and Daniel Miller are engaged in an antisemitic harassment campaign or sending death threats. They are clearly not. That is what I said was a lie. That is what I am saying he is lying about. I actually write elsewhere - I say, you know, if Mr Turner has been attacked with antisemitic abuse, I stand against that, you know, and I think that he - I am sure he has. We have seen these horrible images from some internet site that are clearly antisemitic. They are horrific. I wouldn't wish it on anybody. What I am saying is that what he was accusing people of doing, of being antisemitic wasn't true. They were not being antisemitic and nor was I, nor was Deanna, nor was Daniel Keller nor was

Daniel Miller. That's what I am saying isn't true.

Q. Can we just go on, in the same tab, page 1272, I hope. I do not know what has happened to my references. Yes, 2 February 2019. Do you have that?

A. Yes.

Q. Now, just to set some context for this one, this thread comes after, a period of a month or so after the Walker Art Centre issue that arose, do you remember that Benjamin Bratton published a piece which in Mr Turner's view was an attack on him and - I am just filling in the context - it led to Mr Turner to do one of his open letters to set out the true position and there was a lot of fall out after that. A lot of people jumped online and started attacking Mr Turner, all right? So, this is an example. This tweet is an example of your engagement in some of that Twitter conversation, putting it neutrally, afterwards. You will see it starts at the top, January 27 and just to be clear, the open letter from Mr Turner, which I will come to, was 27 December 2018. So, at the top,

January 27, somebody called Paul SWC says, "I'm sorry that Luke Turner is completely unhinged." Luke Turner is tagged in. And you can see that there are handles there for the Walker Art Centre, which is how you get the context of what this is about. You then say, "He has a history of this - lying, exaggerating, misreading, defaming, blaming people for his own anxiety" and so forth.

A. Yes.

Q. And then someone asked you for examples and you say, "He has a whole series of web pages that he imagines 'proves' harassment", by which I assume you are referring to what we call the archive. You say, "He routinely accuses, without evidence, artists and writers ... of antisemitism. He conflates every piece of criticism of his work or behaviour with violence."

A. Yes, you missed out: "Often Jewish themselves". I think that's important.

Q. "Often Jewish themselves." Now, if you go to tab 41 in the same bundle, page 1093, we are going back in time a little to Mr Turner's open letter about the Benjamin

Bratton piece. Do you have that?

A. Yes.

Q. Now you, I assume, because you were commenting on this affair, had read this open letter -

A. Yes.

Q. - by the time you sent those tweets we have just looked at, and this open letter does what I said just now Mr Turner tended to do, which was to explain the background, do you see? The third, fourth, fifth paragraphs in particular set out the history of the attacks on his installation and then him. Do you see that?

A. Mm-hmm.

Q. Now, you have just said to me that you - I am putting words in your mouth, so tell me - I haven't made a note exactly of what you said but I am trying to summarise - that you were not in a position to judge whether those things had happened to him, correct?

A. Well, insofar as all of the details. I mean, as I said, I wrote elsewhere, if Luke has been attacked, if his work has been attacked by antisemites, that's appalling and I stand

against that and if I saw Luke being attacked, I would defend him, you know, on those grounds. It's like - you know, it's absolutely awful. I just think that what he was saying about Benjamin Bratton and all these other people, they were not antisemitic. I'm not saying that Mr Turner has never suffered antisemitic abuse. He clearly has. I'm saying that what he was calling antisemitic abuse in these instances, including Benjamin Bratton's piece, which was a kind of affectionate parody, actually, I would say, was not antisemitic.

Q. I think it's probably for Mr Turner to decide if it's affectionate.

A. Okay. Sorry, that's my interpretation. Sure.

Q. If you go back to the tweets from you that we were looking at in tab 42, 1272, there is not any nuance in what you were saying about Mr Turner's telling us his experience. You just say, "He has a history of this, lying, exaggerating, misreading" and so forth.

A. At this point he does because this is in 2019.

Q. But you have just accepted that you have read his - by then you had read his open letter about Benjamin Bratton.

A. Yes.

Q. And you had accepted before that that you were not in a position to know about whether what he was saying was true or false.

A. No, I am saying that I wasn't following Mr Turner's career when he was doing this, "He will not divide us" thing, which was in other countries and what-not. You know, that project - now I know there is lots of sort of conflict around it, I think Shia Labeouf was arrested at some point during the project and so on but I wasn't following that, you know, and of course I am not aware of any messages or images that Mr Turner is being sent during this period. What I am saying is that the people that I know he is talking about or the documents that I have seen, like to do with Bratton's piece, the Athens Biennale, his interactions with Mr Miller, Ms Habas and interactions with me are not antisemitic. I am not saying that he has never receive

antisemitic abuse.
Q. Well, I put it to you again that if you were trying to be that nuanced, you would not have said what you said in those tweets on page 1272, which is just to dismiss him entirely as having lied about everything and defamed everybody at the same time.
A. I don't say everybody. I say he has a whole series of web pages up, which is true, which is the archive. He has different pages for different people where he has sort of taken things out of context and said, "This proves this". You know, he's got the most reductive, literalist, negative reading because it's like once he decides he wants to go for someone, then he interprets deliberately everything they have ever said or ever done as, you know, having one meaning and it's bad and he says that things are directed at him and they are not directed at him, and he says that things have a particular negative meaning, you know, that they are fascist or antisemitic when they're not, you know. And what I am saying is that he has done this repeatedly, often to Jewish artists and

writers.
Q. Can you go forward to 1274 in tab 42?
A. Yes.
Q. This is another Gorsedd tweet here on the same day and I suggest you were doubling down again because it is the same - it's abusive, suggesting Mr Turner's tipped into a delusional state and saying he's lying, he's feeding his paranoia and seeing patterns where there are none has trapped him in a terrible loop.
A. Yes.
Q. And then if we look above we see again it is a response to his open letter to the Walker Art Centre. So, I ask you again how you were in a position to just dismiss someone in that broad way -
A. I don't think I'm dismissing Mr Turner. I'm saying he seems to have tipped - as in this is something that has happened, not that he was always like this. How can I put it? On some human level, I was actually quite concerned about him. I know it seems like I am just being mean but at a human level I think, paranoia, you know, I have been

paranoid when I have been very tired, you know, when I wasn't very ill, and it's a very unpleasant state to be in when you think the whole world is against you and you think there is, like, people, you know, conspiring, you know, and that people are out to hurt you and I sort of wanted him to understand that he was in that state and that he actually needed to get help, which is why I say, "Get help" elsewhere and I say at other places like he needs a friend, he needed someone to take him aside and like, get some help because it would be horrible for him to think that there was, you know, a global campaign of harassment against him. You know, that would be a terrible thing for him or anyone to think. You know, it would be awful. You know, but I don't think being paranoid justifies defaming other people, you know. I don't think that, you know, feeling bad means that you can say whatever you like about other people, especially when it's not true and it's really damaging, you know, so my sympathy goes so far.
Q. Could you go to 1275 of the same tab?

A. Yes.
Q. This is another example on the same day of you this time replying to Mr Turner and referring to paranoia being off the scale.
A. Yes.
Q. We cans see at the top of that what he was dealing with when he says: "They are now calling for me to be set on fire" and he's referring to a tweet which said that he should be immolated for his parastobian blood.
A. I have no idea what "parastobian" means and I don't know who this person is.
Q. Well, it does not look very nice, does it?
A. No, but I have no idea who is saying this or what it means.
Q. Then you tweeted, "Your paranoia is off the scale" and so forth.
A. Yes, that's in response to the tweet just above it which says - Mr Turner says, "It's broad but it's not entirely disparate. It's all related to the same players here stemming from the fascist LD50 gallery in London." - it's not a fascist gallery - "via super-fascist Daniel Miller", who is my dear friend who I know is completely not a fascist. He is a

lovely, Jewish man. This is a terrible thing to say about him. And then Mr Turner says, "then alt-right art world grifters like Daniel Keller through to this reactionary 'Red Scare' lot". So, Mr Turner is lumping in a whole load of people and saying that this is all connected and I'm saying this is paranoia and this is a terrible thing and that's why I say, "You need to sort yourself out", and actually again, I know it seems maybe a strange way of doing it but I'm saying, "Look, you're lying in order to get things to make sense in your head. You're accusing people of harassment who have done nothing, are not fascists, don't know each other and are not the people you claim they are. You need to sort yourself out". I am actually trying to sort of say, "Step back", like, "Don't think that there's some plot against you. That's a terrible thing to think. It's not true."

Q. Can I just ask you then in relation to your statement that you were concerned about him, to go in the same tab, 42, to 1259. This is going back in time a little to end of

September 2018.

A. Yes.

Q. So, we have had the Athens Biennale affair and this is WhatsApp or a text message from Mr Turner to you.

A. I believe it's a Facebook message.

Q. Facebook, yes. It says that at the top, but it is a direct message and he reaches out to you and he says, "I'm just writing on the off chance you have any info as I saw that you followed the BasedBrooklyn account on Instagram that's been targeting me with some pretty gross antisemitic posts over the past couple of months. Do you happen to know who this is? Anything you could pass on would be greatly appreciated. Thanks. Luke." And you respond, "No idea. Don't often go on Instagram, tbh. I wouldn't worry about it if I were you."

A. Yes.

Q. And he says, "Thanks, Nina. I always have to be vigilant with accounts like this since things have spilled out and impacted me quite substantially in terms of physical attacks over the past couple of years." Now,

I suggest -

A. But I don't know who BasedBrooklyn is and I am not following this account because they're posting antisemitic posts. I don't often go on - I didn't often go on Instagram. I deleted it. I didn't like it. I'm actually trying to calm him down. "I wouldn't worry about it if I were you." At this point he has already been attacking Daniel, by the way, on Twitter so I know that Mr Turner is saying things that are untrue. I don't want to engage with him because I know that he is saying things that aren't true. I mean, that is actually quite kind of me, to be honest, to even respond.

Q. Oh, I see. That is kind, is it, your response -

A. Yes.

Q. Given what you have just -

A. Yes, "Hope all well. I wouldn't worry about it if I were you".

Q. Well -

A. I am saying, "Chill out".

Q. Can you take up bundle 3, tab 51 and go to 1878. Do you have that, the right-hand

page?

A. Yes.

Q. It says 3 October at the top. Now, that Facebook exchange we have just looked at was 23 September.

A. Yes.

Q. You just said to this court that you didn't know who BasedBrooklyn was.

A. That's correct. I don't know who he is.

Q. But I suggest that you did at least know enough to warn BasedBrooklyn because if you read -

A. No, I never - I -

Q. Can I just ask the question? If you look at this tweet from BasedBrooklyn it says, "I would post dank memes of Lee Kratzer and Ed Fornieles casting Luke Turner back into darkness with superior magicz but I've been pulled off this case, 'folds arms' so I guess you're free to continue unchallenged, 'arms folded so hard'. Have fun ya dirty marxist. 'walks away'." I suggest that, "I've been pulled off this case", was a reference to you after you had had the request for help from Mr Turner, contacting BasedBrooklyn and

saying, "You'd better stop being so abusive because Luke Turner's asking about you."
A. No, I have never contacted this person. I mean, you sent loads of legal letters on this. If I had had an exchange with BasedBrookly, I would have sent the messages but I never interacted with this person. No, I wouldn't say - it doesn't make any sense. BasedBrooklyn doesn't say, "Somebody told me", or "Nina told me", or "Somebody said don't because, you know, whatever". I don't know who Lee Kratzer is. I promise I never sent a message to this person whoever it is saying, "You shouldn't take up this case", or something. I honestly, you know - I had no contact with this person at this time, no messages. I would have sent them if I had.
Q. And if you still have bundle 2 open on the page with the Facebook messages, which was 1259, just to complete the chronology here, you see the last one is another message from Mr Turner to you, 14 October where he is reaching out again, "Sorry to bother you again. Hoping you can help." Then he says one of the people involved in the increased

threats of violence, etc, lately, Daniel Miller, apparently was on the same ... bill as you in Athens." He's asking you ultimately if there's any information you might be able to pass on from that event or elsewhere and you do not respond. Correct?
A. Yes, it's my birthday.
Q. You do not respond, correct?
A. I don't respond. It's actually my birthday. I was probably busy. I mean, to be honest, I wasn't going to respond. I mean, I get hundreds of messages all the time but it's like I know what he's saying. He's saying, Daniel Miller, who I'm already friends again with at this point - and he's accusing Daniel of being or saying that the situation is quite scary, you know, and he says that someone else, Ed Fournieles - "aligning himself with those harassing me". I mean, I know none of this is true so I am not going to respond, because it's not true.
Q. You see in your witness statement at paragraph 4, which is in bundle 1 at tab 30, so it is page 436 - sorry, it is quite a full bundle. Have you found it?

A. Sorry, 4?
Q. 436.
A. Yes.
Q. At paragraph 4 you say, "I attend my local church weekly."
A. Yes.
Q. You were baptised this year. "I believe in God and believe all human beings are fallen, which is to say we are all capable of making mistakes, hurting others accidentally, thoughtlessly or intentionally, and that we are all simultaneously capable of being harmed. I believe we both have to forgive others and forgive ourselves. I believe that we both have to forgive others and forgive ourselves. I am committed to dialogue. I believe we must speak with those we disagree with to understand what they think, and that we must proceed collectively through compromise and reflection. I try to understand why everyone holds the position they hold, and I believe in talking to everyone." Now, I suggest that there is very little evidence in the tweets that we have been looking at of any of those sentiments being put into

practice on your part.
A. I disagree. I think, you know, that I am also human and I was angry, I was upset that my friend Daniel and other people were being accused of things that I knew weren't true. I think that this message from Mr Turner, on my birthday, is sort of fishing for information, you know. When I say I believe in - I'm committed to dialogue, it doesn't mean I have time or inclination to respond to every message I receive. I think some issues are more important than others, you know. I think we should, yeah, try to - I don't know. I understand where people are coming from and, you know, actually we did try to have mediation and we did offer to talk. We did, you know, if - I actually tried to organise a kind of event, a public event in person where people could come and talk to me about everything and actually, you know, that would have included an invitation to Mr Turner to say, "Well, what is the nature of our disagreement?" Some of this stuff doesn't really work online. It's much better in person, like if you speak to somebody and

you can see them in their sort of fullness, as a human being and you know - so a lot of this comes, I think, from this lack of physical presence and I actually would have - if Mr Turner had said, "Can we meet in person?" and in fact I did email his colleague, then colleague, Mr - sorry, Mr Labeouf, Shia Labeouf to say, like, you know, "We should have like a party. We should have, like a meeting. You know, can we sort of talk about this because Mr Turner is making these accusations and it's not correct, you know, to call people fascists and antisemites and all of that. And I thought that maybe, naively, that we could have a meeting and talk about it and I would have done that at any point.

Q. We have just seen, on my case to you as I put it, that you were interacting with in BasedBrooklyn's targeting of Mr Turner in the autumn of 2018. I think we heard from Mr Miller in evidence earlier on today that he admitted that he admitted that another of the accounts or sock accounts that was targeting Mr Turner called Truth Lamp, Real Truth Lamp, was in fact Daniel Keller. Did you

know that?

A. I think at some point but I didn't know that it was Daniel Keller at the time. I don't know Daniel Keller, by the way.

Q. But you knew the Real Truth Lamp account, did you not, because you followed it?

A. Yes, I mean I think there was - you know, I was following quite a few accounts. Yeah, I think people were trying to get to the bottom of what was going on, actually, with a lot of these accusations and trying to work out where pe were coming from.

Q. If you have bundle 1 open, or if you haven't, could you please get it?

A. Mm-hmm.

Q. I want to show you a paragraph in your statement of case. It is tab 9, page 232. Do you have that?

A. Mm-hmm, yes.

Q. It is paragraph 8.6. This is a response - I should probably tell you what it is a response to. If you go back to - sorry, tab 6, it is page 91 in tab 6, which is the defence. That says - this is the defence pleading - "Anonymous

'sockpuppet' Twitter accounts, Real Truth Lamp and @empireoftheatre which sent over 400 tweets between February and October 2019", in other words to Mr Turner, dedicated to spreading misinformation about the defendant", to or about him, and you can read the rest of it. And it says, "The second claimant", that is you, "coordinated with @RealTruthLamp" -

A. No.

Q. " ... sharing the contents of an email she had sent to Shia Labeouf, the defendant's partner, in LRC." If you go back to page 222, this is your response to this, signed with a statement of truth. "The claimant does not participate in or endorse any alleged harassment by the accounts RealTruth Lamp and EmpireofTheatre. The second claimant", which is you, "does not know who holds those accounts."

A. Mm.

Q. Now, Mr Miller - I don't know if he let slip unintentionally but he said in his evidence something we did not know before because of these denials, that Mr Keller is or

was Real Truth Lamp. Do y ou accept that that is the case, that Mr Keller was Real Truth Lamp?

A. Well, I think so. I don't know for sure. I mean, I certainly wasn't interacting with Real Truth Lamp. I certainly wasn't coordinating anything. I did forward the email that I mentioned earlier to Shia Labeouf where I said, "Let's have a party" to Daniel Keller but not because he was the author of this account.

Q. Well, there are two questions here that I am going to put to you. One is if you look at page 232 of your reply, which is something drafted by your lawyers on your instruction, it says, "The second claimant does not know who holds those accounts." We are not talking about Empire of Theatre, just Real Truth Lamp.

A. Mm-hmm.

Q. Was that an untrue statement?

A. No, I mean I think at the time I didn't know who it was. I'm still not totally sure who it is. I mean, I think it's Daniel Keller, but I don't know. I have no proof

whatsoever. I don't, you know, I don't know Daniel Keller. He's certainly never said, "I'm the author of this Twitter account". I don't even know if it exists any more. It was an account that was tweeting about the company that Mr Turner is a director of, and things like that, like about the financial standing, I guess.

Q. If you go back to bundle 2, tab 42, please. I am going give you an example, as I say, there are lots of them but, I will give you an example of -- you said you didn't really interact with Real TruthLamp, that is not correct. Do you accept that?

A. No, I said I didn't coordinate with Real TruthLamp.

Q. Well, there is one here at page 1331. I suppose it depends on your definition of coordination?

A. Yes.

Q. Do you have that page, 1331?

A. Yes.

Q. This is the 23rd of March 2019 one. So, this is effectively Daniel Keller and you are re-tweeting it and I suggest you know it is

Daniel Keller?

A. No, I don't.

Q. It is another attack on Luke and his state of mind, calling him hyperventilating, victim routine for at least, at least six years now, which takes it back quite a long time. You re-tweeted it?

A. Uh-huh.

Q. You were happy, were you, to re-tweet an allegation that Mr Turner had been hyperventilating, victim, which I assume implies a liar, for at least six years, were you?

A. Well, I think if you click on the link, so I hadn't come across this, I think it was like an interview, basically, with Mr Turner, and he speaks in a very different way than he was speaking more recently, around this time. The point of the tweet, the TruthLamp tweet, is saying like, there are aspects that are similar to what's going on in 2018 and 2019 in the way that Mr Turner rhetorically phrases things. But the point is, it is interesting to see how he hasn't quite learned how to couch his narcissistic grievances in

SJW, that is Social Justice Warrior vernacular, yet, and I thought this was an interesting observation ...

Q. The point I'm putting to you is that this is another example of you being quite happy to indiscriminately accuse Mr Turner of lying about everything he says, without knowing whether that's the case or not, correct?

A. No, I know for a fact that he is lying about certain people and certain things. I'm not saying he is lying about everything, how could I possibly know that? I know at this point that he has lied several times, and repeatedly, often about the same people and accused them of things that aren't true. I know that, that's what I am saying, you know. And I am actually kind of, I think, trying to work out what's going on, is this some, like strange game he is playing, is it kind of just, you know, is he just interested in damaging people, in libelling them, in defaming them, is this some kind of psychological thing? It is really confusing and kind of devastating, I think, for a lot of people because what Mr Turner claimed did

a lot of damage to a lot of people because what he was saying was defamatory and damaging and people were repeating it.

Q. My Lady, if that's a convenient moment?

MRS JUSTICE COLLINS RICE: It is. Thank you very much. We are still on course for finishing tomorrow?

MS EVANS: We are well on course.

MRS JUSTICE COLLINS RICE: Excellent. Thank you very much indeed. Well, I am afraid you have heard what I have said already about not discussing your evidence. It is perhaps particularly important that you don't discuss it with the previous witness. I say this only because it is a point about the contamination of your evidence and the weight that I am then able to give to it. So it is really important that you, when you leave the courtroom, you leave the case behind, you do something else this evening and you don't discuss your evidence.

A. I understand, my Lady.

MRS JUSTICE COLLINS RICE: Thank you. Well, we will resume at 10.30 tomorrow.

MS EVANS: Can I just turn my back and then possibly mention one housekeeping matter before you rise?
MRS JUSTICE COLLINS RICE: Oh yes.
MS EVANS: One thing that I would like to, I am instructed to ask you is that Mr Turner's father, who has been in court all the time, and is going to be a witness next week, Monday, has poor health at the moment and is wondering whether it is possible for him to, logistically for a link to be set up so that the proceeding can be watched by him in his flat, without him having to come in. He finds it very difficult, he can't sit down at the moment and obviously standing up all day is also difficult. We are aware that these things take time sometimes to set up, the CVP, or whatever it is called, system. We are in your Ladyship's hands --
MRS JUSTICE COLLINS RICE: Well --
MS EVANS: It wouldn't be for his evidence, it would only be for the --
MRS JUSTICE COLLINS RICE: I understand so that he can watch it. I mean you are not all together in my hands, I would

be willing in principle but whether that is something which can be managed logistically, I do not know.
MS EVANS: Yes, I understand.
MRS JUSTICE COLLINS RICE: I suspect it would require us to move courts but the best I can do is to make some enquiries and if it is reasonably practicable, we will do all we can to accommodate your request.
MS EVANS: I am very grateful, thank you.
MRS JUSTICE COLLINS RICE: 10.30.
(16.31)
(The hearing adjourned until 10.30 a.m. on Thursday, 05 October 2023)

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